

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Harrison E. Fryberger, of Minneapolis, Minn.; Irwin T. Gilruth, of Chicago, Ill.; Herbert Levy, of Baltimore, Md.; Fred Fite, of Birmingham, Ala.; Karl Fenning, of Cleveland, Ohio; John G. Carter, of Washington, D. C.; John T. Diedrich, of Ashland, Ky.; John B. Gaines, of Tallahassee, Fla.; Erskine W. Landis, of De Land, Fla.; E. A. Bilisoly, of Norfolk, Va.; Eulogio P. Revilla, of Manila, P. I.; Rush Hightower Knox, of Jackson, Miss.; H. H. Creekmore, of Water Valley, Miss.; Elmer Clinton Sharp, of Booneville, Miss.; Carl D. Mosier, of Lansing, Mich.; Meredith P. Sawyer, of Menominee, Mich.; Herbert Knox Smith, of Hartford, Conn.; B. M. Parmenter, of Lawton, Okla.; William S. Stoner, of Washington, D. C.; Benjamin D. Winner, of New Haven, Conn.; Jeremy Richard Waldron, of Portsmouth, N. H.; Donald C. Thompson, of Meadville, Pa.; George B. Covington, of New York City; William L. Taggart, of Washington, D. C.; Louis Henry Chalmers, of Phoenix, Ariz.; J. Thomas Hoffman, of Pittsburgh, Pa.; John H. Riordan, of San Francisco, Calif.; Hermann J. Hughes, of Baltimore, Md.; and William Lux, of Chicago, Ill., were admitted to practice.

The Chief Justice announced the following orders of the court:

ORDER

It is ordered by this court that the following cases, viz, Nos. **91, 92, 156, 188, 256, 30** (and **477**), **258, 249, 208, 224, 31, 273**, and **337** (and **420**), heretofore assigned for Monday, November 2 next, be, and the same are hereby, reassigned for Monday, November 16 next.

ORDER

It is ordered by this court that the following cases, viz, Nos. **192, 503, 181, 4, 288** (and **289**), **246, 242, 13** original, and **328**, heretofore assigned for Monday, November 2 next, be, and the same are hereby, reassigned for Monday, November 23 next.

ORDER

It is ordered by this court that the following cases, viz, Nos. 183 (and 376), 320, 314, 365, 303, 423 (to 445, inclusive), 417, 76, and 36 (and 398, 399, 400, 499, 500, 401, 402, 403, and 404), heretofore assigned for Monday, November 2 next, be, and the same are hereby, reassigned for Monday, November 30 next.

ORDER

It is ordered by this court that the following cases, viz, Nos. 493, 388 (and 389, 390, 391, 336, 355, and 471), 512, and 510, heretofore assigned for Monday, November 2 next, be, and the same are hereby, reassigned for Monday, December 7 next.

No. 17, original. The United States, complainant, *v.* The State of Minnesota. Motion to reassign submitted by Mr. Solicitor General Mitchell for the complainant.

No. 77. The United States of America, plaintiff in error, *v.* Union Electric Light & Power Company. In error to the District Court of the United States for the Eastern District of Missouri. Judgment reversed; and cause remanded for further proceedings, on joint motion submitted by Mr. Solicitor General Mitchell in that behalf.

No. 132. The United States, appellant, *v.* Brilliant Coal Company. Appeal from the Court of Claims. Dismissed, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 176. C. C. Belknap Glass Company, appellant, *v.* The United State of America. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed; and cause remanded for further proceedings, on confession of error submitted by Mr. Solicitor General Mitchell for the appellee.

No. 185. Arthur E. Donegan, appellant, *v.* B. E. Dyson, U. S. Marshal. Motion to dismiss or affirm submitted by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Donovan for the appellee in support of the motion.

No. 295. Henry P. Kieth, Late Collector, petitioner, *v.* Emma B. Johnson, as Administratrix. Motion to advance submitted by Mr. Solicitor General Mitchell for the petitioner.

No. 315. Marion-Rye Valley Railway Company, appellant, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellee.

No. 611. Port Gardner Investment Company *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the United States.

No. 554. Norman S. Bowles, appellant, *v.* W. I. Biddle, Warden. Motion to advance and for admission to bail submitted by Mr. Solicitor General Mitchell in behalf of appellant, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely in opposition thereto.

No. 454. Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America. Motion to advance to be heard with Nos. 192 and 503, heretofore assigned for November 23, submitted by Mr. Godfrey Goldmark in that behalf.

No. 496. Frank E. Stripe et al., Receivers, petitioners, *v.* The United States of America. Motion to advance to be heard with Nos. 192 and 503, heretofore assigned for November 23, submitted by Mr. Benjamin A. Matthews for the petitioners.

No. 681. The State of Ohio ex rel. Joseph Hanson, plaintiff in error, *v.* James W. Caldwell, Receiver, et al. Motion for leave to proceed in forma pauperis herein submitted by Mr. Hugh M. Rowland for the plaintiff in error.

No. 14, original. The commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Report of commissioner received and filed, on motion of Mr. Wade H. Ellis in that behalf.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, County Treasurer, etc. Motion to affirm submitted by Mr. Leon Hornstein in behalf of Mr. Hiram T. Gilbert and Mr. C. Paul Tallmadge for the respondent in support of the motion, and by Mr. Charles E. Hughes, Mr. Charles S. Dineen, Mr. Robert J. Folonie, and Mr. Frederick D. Silber in opposition thereto.

No. 729. Northern Cedar Company, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.;

No. 730. Yakima County Horticultural Union, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.; and

No. 731. C. W. Chamberlain & Company et al., plaintiffs in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al. Motion to advance submitted by Mr. Blaine Mallan in that behalf.

No. 639. City of Sour Lake et al., petitioners, *v.* Vernon H. Brauch. Leave granted to file brief of respondent, on motion of Mr. George E. Chamberlain in that behalf.

No. 218. Southern Railway Company, plaintiff in error, *v.* Commonwealth of Kentucky, etc.; and

No. 219. James C. Davis, Director General, plaintiff in error, *v.* Commonwealth of Kentucky, etc. Joint motion to advance submitted by Mr. Charles Clark in that behalf.

No. 628. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian, et al. Motion to advance to be heard with cases Nos. 80 and 81 submitted by Mr. Thomas P. Littlepage in that behalf.

No. 629. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian, et al. Motion to advance to be heard with cases Nos. 80 and 81 submitted by Mr. Thomas P. Littlepage in that behalf.

No. 630. Deutsche Bank of Berlin, Germany, appellant, *v.* Leopold Zimmermann et al. Motion to advance to be heard with cases Nos. 80 and 81 submitted by Mr. Thomas P. Littlepage in that behalf.

No. 703. Max Pottash et al., petitioners, *v.* Birds, Heilgers, Ironsides, Inc. Leave granted to file brief herein for the respondent, on motion of Mr. George B. Covington in that behalf.

No. 72. Clara Showalter, plaintiff in error, *v.* Georgia Valliere Hampton. Motion to require plaintiff in error to supersede judgment of the lower court, and to give bond, submitted by Mr. Henry P. Blair for the defendant in error.

No. 623. Yu Cong Eng et al., etc., petitioners, *v.* W. Trinidad, as Collector, etc. Motion for leave to file suggestions of the Chinese Legation herein submitted by Mr. Charles A. Conlon in behalf of Mr. Frederic R. Coudert in that behalf.

No. 421. The City of Tulsa et al., appellants, *v.* Oklahoma Natural Gas Company et al. Motion to dismiss or affirm submitted by Mr. Alexander Britton in behalf of counsel.

No. 490. American Smelting & Refining Company, petitioner, *v.* George Campbell Carson. Motion for leave to file brief herein as amicus curiae submitted by Mr. William Wallace in that behalf; and motion denied.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Motion for leave to amend bill of complaint herein submitted by Mr. Herman L. Ekern for the complainant, with leave to file answer thereto, on motion of Mr. Edmund D. Adcock for the defendant. Leave granted to withdraw appearance of Clyde L. Day as counsel for defendant.

No. 260. Panama Rail Road Company, petitioner, *v.* Agapito Vasquez, Administrator. Motion to advance submitted by Mr. Manton Wyvell in that behalf.

No. 421. The City of Tulsa et al., appellants, *v.* Oklahoma Natural Gas Company et al. Motion to advance submitted by Mr. Finis E. Riddle for the appellants.

No. 247. George H. Beazell, plaintiff in error, *v.* The State of Ohio et al. Motion to dismiss or affirm submitted by Mr. John Wilson Brown, III, for the defendants in error in support of the motion, and by Mr. Province M. Pogue and Mr. Harry M. Hoffheimer for the plaintiff in error in opposition thereto.

No. 248. William H. Chatfield, Jr., plaintiff in error, *v.* The State of Ohio. Motion to dismiss or affirm submitted by Mr. John Wilson Brown, III, for the defendant in error in support of the motion, and by Frank F. Dinsmore for the plaintiff in error in opposition thereto.

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. (Case "A.") Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. T. H. Robinson for the petitioner.

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. (Case "B.") Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. T. H. Robinson for the petitioner.

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. (Case "C.") Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. T. H. Robinson for the petitioner.

No. 567. Board of Public Utility Commissioners et al., appellants, *v.* New York Telephone Company. Motion to advance submitted by counsel in that behalf.

No. 236. George E. Bowling et al., plaintiffs in error, *v.* Frank Beaver et al. Motion to dismiss or affirm submitted by Mr. Thomas P. Gore in behalf of Mr. Dick Rice for the defendants in error in support of the motion, and by Mr. Vern E. Thompson and Mr. Halbert H. McClure for the plaintiffs in error in opposition thereto.

No. 88. Fidelity & Deposit Company of Maryland, appellant, *v.* J. M. Luna et al. Suggestion of resignation of J. M. Luna as a member of the State Corporation Commission of New Mexico, and motion to substitute Ed. C. Tafoya, successor as a member of the State Corporation Commission of New Mexico, as a party appellee herein, submitted by Mr. Charles Markell for the appellant.

No. 144. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Mrs. Abi Janney. Motion to dismiss or affirm submitted by Mr. Richard S. Doyle, Mr. Merritt Starr, and Mr. Albert L. Hopkins for the defendant in error in support of the motion.

No. 493. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, Jr., et al., Executors, etc. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. Guy Mason in that behalf.

No. 462. Harman W. McMahon, petitioner, *v.* Montour Railroad Company. Motion to advance submitted by Mr. C. D. Scully for the petitioner.

No. 394. Eastern Products Corporation et al., petitioners, *v.* Tennessee Coal, Iron & Railroad Company. Leave granted to file brief of petitioner within 10 days, and brief of respondent within 20 days, on motion of Mr. Charles Clark in that behalf.

No. —, original. *Ex parte* in the matter of the City of Monterey, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. H. J. Hughes for the petitioner.

No. 346. Pauline Andre DeLa Mettrie et al., appellants, *v.* Elizabeth Pratt de Gasquett James et al.; and

No. 347. David Keane, Receiver, appellant, *v.* Elizabeth Pratt de Gasquett James et al. Resignation of Thomas W. Miller as Alien Property Custodian suggested by Mr. J. Robert Hayes and Mr. Guy H. Johnson for the appellant; and Frederick C. Hicks, successor as Alien Property Custodian, ordered substituted as a party appellee herein.

No. 184. Enrique del Pozo y Marcos et al., appellants, *v.* Wilson Cypress Company. Motion to dismiss for failure to print the record, and motion to dismiss or affirm, submitted by Mr. H. C. Clark and Mr. J. C. Cooper for the appellee in support of the motion, and by Mr. W. W. Dewhurst, Mr. John C. Jones, and Mr. Joseph H. Jones for the appellants in opposition thereto.

No. 184. Enrique del Pozo y Marcos et al., appellants, *v.* Wilson Cypress Company. Motion that cause be heard on six copies of the record on former appeal submitted by Mr. John C. Jones for the appellants.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion to set cause for hearing submitted by counsel in that behalf.

No. 4, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Motion for the appointment of a commissioner to take testimony herein submitted by Mr. W. R. Austin for the complainant.

No. 395. Thomas E. Buford, petitioner, *v.* North American Accident Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. W. Howth for the petitioner.

No. 412. N. M. Baldwin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Harry S. Hall for the petitioner.

No. 452. Laura Smith, Administratrix of the Estate of Simeon Keyser, deceased, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the Appellate Court of the State of Illinois submitted by Mr. Cyrus A. Geers for the petitioner.

No. 459. Lucy Fisher et al., plaintiffs in error, *v.* E. J. Crider. Petition for a writ of certiorari herein submitted by Mr. William Neff for the plaintiffs in error in support of the petition.

No. 460. Don Chafin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John H. Holt for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 466. Guiseppe Napolitano, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Raymond S. Oakes for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 469. L. J. Schwaub & Sons, Inc., petitioner, *v.* Tennessee Egg Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Charles C. Moore for the petitioner, and by Mr. John B. Hyde for the respondent.

No. 474. The Texas & Pacific Railway Company, petitioner, *v.* Z. L. Jarrett. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas submitted by Mr. F. H. Prendergast and Mr. T. D. Gresham for the petitioner.

No. 475. M. Scheuer, and C. W. Cobb, Trustee, etc., et al., petitioners, *v.* St. Paul Fire & Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William H. Watson and Mr. Samuel Pasco for the petitioners, and by Mr. Daniel MacDougald and Mr. J. E. D. Yonge for the respondent.

No. 476. The State of Montana, petitioner, *v.* Sunburst Refining Company. Petition for a writ of certiorari to the Supreme Court of the State of Montana submitted by Mr. L. A. Foote for the petitioner, and by Mr. George E. Hurd and Mr. H. C. Hall for the respondent.

No. 478. Salvadore Larrocca, petitioner, *v.* C. J. Everett, Trustee in Bankruptcy, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Donelson Caffery for the petitioner.

No. 479. Pan-American Bank and Trust Company et al., petitioners, *v.* National City Bank of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ralph S. Rounds, Mr. Francis E. Neagle, and Mr. Eugene Congleton for the petitioners, and by Mr. John A. Garver and Mr. Carl A. Mead for the respondent.

No. 483. H. Ely Goldsmith, Certified Public Accountant of the State of New York, petitioner, *v.* William Clabaugh et al., as Members of and Constituting the Board of Accountancy for the District of Columbia. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. H. Ely Goldsmith and Mr. Edward G. Griffin for the petitioner.

No. 484. C. H. Hodgkinson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Carlos Bee for the petitioner.

No. 485. F. M. Withers, petitioner, *v.* William E. White, as Trustee of the Estate of E. Y. Foley, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. I. Henry Harris for the petitioner.

No. 486. F. M. Withers, petitioner, *v.* William E. White, as Trustee of the Estate of E. Y. Foley, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. I. Henry Harris for the petitioner.

No. 487. Withers Bros., petitioner, *v.* William E. White, as Trustee in Bankruptcy of the Estate of E. Y. Foley, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. I. Henry Harris for the petitioner, and by Mr. H. E. Barbour for the respondent.

No. 488. Withers Bros., petitioner, *v.* William E. White, Trustee in Bankruptcy of the Estate of E. Y. Foley, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. I. Henry Harris for the petitioner, and by Mr. H. E. Barbour for the respondent.

No. 489. J. L. Chapman, Commissioner of Banking of the State of Texas, et al., petitioners, *v.* R. M. Clayton, Jr., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Perry G. Dedman and Mr. B. L. Agerton for the petitioners, and by Mr. S. C. Rowe for the respondents.

No. 490. American Smelting and Refining Company, petitioner, *v.* George Campbell Carson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frederick P. Fish, Mr. William K. White, Mr. Elihu Root, Mr. Albert M. Austin, and Mr. George Donworth for the petitioner, and by Mr. S. C. Rowe for the respondent.

No. 492. Edmond C. Fletcher, petitioner, *v.* Percy Kellogg, Executor of the Estate of Sherman Kellogg, deceased. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Edmond C. Fletcher for the petitioner.

No. 494. Louisiana and Western Railroad Company, plaintiff in error, *v.* John B. Gardiner. Petition for a writ of certiorari herein submitted by Mr. Philip S. Pugh, Mr. George Denegre, Mr. Victor Leovy, Mr. Henry H. Chaffe, Mr. Harry McCall, and Mr. James Henry Bruns for the plaintiff in error in support of the petition.

No. 495. A. J. Thigpen et al., plaintiffs in error, *v.* Midland Oil Company. Petition for a writ of certiorari herein submitted by Mr. Elmer E. Grinstead and Mr. J. R. Spielman for the plaintiffs in error in support of the petition.

No. 497. Joe H. Tiger, plaintiff in error, *v.* William M. Fewell et al. Petition for a writ of certiorari herein submitted by Mr. William Neff for the plaintiff in error in support of the petition, and by Mr. William O. Beall for the defendants in error in opposition thereto.

No. 507. Herman Peterson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John J. Sullivan for the petitioner.

No. 509. Frank C. Mebane, as Receiver of Symes Foundation, Inc., et al., plaintiffs in error, *v.* Staten Island Railway Company et al. Petition for a writ of certiorari herein submitted by Mr. Benjamin Catchings and Mr. Merle I. St. John for the plaintiffs in error in support of the petition, and by Mr. A. S. Gilbert, Mr. Royal E. T. Riggs, Mr. Morgan J. O'Brien, and Mr. John F. Hughes for the defendants in error in opposition thereto.

No. 511. Federal Trade Commission, petitioner, *v.* The John C. Winston Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted

by Mr. Solicitor General Mitchell, Mr. O. C. Fuller, and Mr. Edward E. Reardon for the petitioner.

No. 514. Federal Trade Commission, petitioner, *v.* Chicago Portrait Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Solicitor General Mitchell, Mr. O. C. Fuller, Mr. W. A. Sweet, and Mr. H. A. Cox for the petitioner, and by Mr. John T. Evans and Mr. John Lewis Smith for the respondent.

No. 516. Mary Ellen Dickson et al., petitioners, *v.* A. C. Neal et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. W. A. Oldfield for the petitioners, and by Mr. W. P. Strait for the respondents.

No. 524. R. M. McColgan, petitioner, *v.* Charles H. Clark. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George D. Collins for the petitioner.

No. 526. Samuel Sanday et al., petitioners, *v.* United States Shipping Board Emergency Fleet Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Russell T. Mount for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Ira Floyd Letts, Mr. J. Frank Staley, and Mr. Horace T. Atkins for the respondent.

No. 527. The American Automobile Accessories Company, petitioner, *v.* Jerome H. Remick & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Alfred M. Allen for the petitioner.

No. 529. Northern Railway Company, petitioner, *v.* Donald Page et al., Administrators, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Robert G. Dodge for the petitioner, and by Mr. Charles F. Perkins for the respondent.

No. 530. William F. Falligan, petitioner, *v.* Citizens Trust & Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. I. Gilbert and Mr. James E. Fenton for the petitioner, and by Mr. Oscar Lawler, Mr. William J. Hunsaker, Mr. E. W. Britt, and Mr. T. B. Cosgrove for the respondent.

No. 531. John F. Herr, petitioner, *v.* Citizens Trust & Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. I. Gilbert and Mr. James E. Fenton for the petitioner, and by Mr. Oscar Lawler, Mr. William J. Hunsaker, Mr. E. W. Britt, and Mr. T. B. Cosgrove for the respondent.

No. 532. Giorgio Borelli, as Administrator, etc., petitioner, *v.* International Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Hamilton Ward for the petitioner, and by Mr. William S. Rann for the respondent.

No. 534. The Pullman Company, petitioner, *v.* Jacob S. Waln et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Ira Jewell Williams for the petitioner, and by Mr. John Lewis Evans for the respondent.

No. 537. Domenico Lazzaro, petitioner, *v.* Luther Weedon, as Commissioner of Immigration at the Port of Seattle, Washington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John J. Sullivan for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Harry S. Ridgely for the respondent.

No. 538. Alexander Sedgwick, petitioner, *v.* Thomas E. Wing, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Hector M. Hitchings and Mr. Hugh W. Ogden for the petitioner, and by Mr. Philip W. Russell for the respondent.

No. 539. The Baltimore & Ohio Railroad Company, petitioner, *v.* Charles Tittle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. S. H. Tolles and Mr. W. T. Kinder for the petitioner, and by Mr. Edward Davidson for the respondent.

No. 540. Kock Shing, petitioner, *v.* John P. Johnson, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Everett Flint Damon and Mr. Walter Bates Farr for the petitioner.

No. 541. Kock Tung, petitioner, *v.* John P. Johnson, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Everett Flint Damon for the petitioner.

No. 542. Alfred T. White, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William H. Gorham and Mr. James Kiefer for the petitioner.

No. 544. James Skipitar, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James Skipitar for the petitioner.

No. 545. Mississippi Central Railroad Company et al., petitioners, *v.* Ernest Knight. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Thomas Brady for the petitioners, and by Mr. J. W. Cassidy and Mr. E. L. Dent for the respondent.

No. 546. Newport News Shipbuilding & Dry Dock Company, petitioner, *v.* Joseph W. Isherwood, In His Own Rights and as Trustee, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Junius Parker and Mr. G. S. Ferguson, jr., for the petitioner, and by Mr. C. V. Meredith, Mr. F. P. Fish, Mr. Hubert Howson, and Mr. Charles H. Howson for the respondents.

No. 547. The United States of America ex rel. Wilbur H. Rock, petitioner, *v.* Cuno H. Rudolph et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Wilton J. Lambert and Mr. R. H. Yeatman for the petitioner.

No. 555. James McDonald, Jr., et al., petitioners, *v.* Lawrence Maxwell et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Charles V. Imlay, Mr. M. M. Allison, and Mr. John J. Hamilton for the petitioners.

No. 558. The United States, petitioner, *v.* Stone & Downer Company et al. Petition for a writ of certiorari to the U. S. Court of Customs Appeals submitted by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Hoppin for the petitioner, and by Mr. Edward P. Sharretts for the respondent.

No. 560. Isadore Luvisch, petitioner, *v.* W. I. Biddle, Warden of the United States Penitentiary at Leavenworth. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. I. J. Ringolsky and Mr. L. S. Harvey for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Donovan for the respondent.

No. 563. American Central Life Insurance Company, petitioner. *v.* American Trust Company, Guardian, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Thomas J. Tyne and Mr. Charles E. Cox for the petitioner.

No. 566. The Gulf and Ship Island Railroad Company, petitioner. *v.* C. G. Hendricks. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. T. J. Wills for the petitioner, and by Mr. W. H. Watkins for the respondent.

No. 569. Fannie B. Jones et al., Administrators, etc., *v.* Pearl Mosier et al. Petition for a writ of certiorari to the Supreme Court

of the State of Oklahoma submitted by Mr. Preston A. Shinn for the petitioners, and by Mr. C. K. Templeton for the respondents.

No. 570. James C. Davis, Agent, petitioner, *v.* Louis Phillips et al. Petition for a writ of certiorari to the Superior Court of Bristol County, State of Massachusetts, submitted by Mr. Arthur W. Blackman for the petitioner, and by Mr. David R. Radovsky for the respondents.

No. 571. Mary Ann Parramore, Widow, etc., et al., petitioners, *v.* The Denver & Rio Grande Western Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. Harry Covington, Mr. Spencer Gordon, Mr. Mahlon E. Wilson, and Mr. R. B. Webster for the petitioners, and by Mr. Waldemar Van Cott for the respondent.

No. 572. W. D. Kynerd, petitioner, *v.* John A. Hulen, Receiver, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. M. McCormick and Mr. Paul Carrington for the petitioner, and by Mr. Joseph Hudson Barwise, jr., for the respondents.

No. 573. Leong Don, petitioner, *v.* William T. Christy, Commissioner of Immigration, Port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Waguespack for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 574. Chicago and Eastern Illinois Railway Company, plaintiff in error, *v.* Chicago Heights Terminal Transfer Railroad Company. Petition for a writ of certiorari herein submitted by Mr. Homer T. Dick and Mr. M. F. Gallagher for the plaintiff in error in support of the petition, and by Mr. Luther M. Walter, Mr. James G. Condon, and Mr. William E. Lamb for the defendant in error in opposition thereto.

No. 575. Mystic Steamship Company, petitioner, *v.* Diamond-O Navigation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. D. A. Neal and Mr. Harry B. Beckett for the petitioner, and by Mr. Erskine Wood for the respondent.

No. 576. William F. Young, petitioner, *v.* J. E. Stillwell. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. F. Dumont Smith and Mr. W. I. Gilbert for the petitioner, and by Mr. Leslie R. Hewitt and Mr. F. C. Price for the respondent.

No. 577. W. Martin Jones, Jr., petitioner, *v.* Thomas Midgley et al. Petition for a writ of certiorari to the Court of Appeals of

the District of Columbia submitted by Mr. W. Martin Jones, jr., for the petitioner, and by Mr. Edward C. Taylor for the respondents.

No. 580. Seward K. Lowe et al., petitioners, *v.* Alexander J. Dickson. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Claude Nowlin for the petitioner.

No. 581. Herman Mielke, petitioner, *v.* James B. Schermerhorn. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Webster Ballinger for the petitioner, and by Mr. R. J. Powell for the respondent.

No. 583. O. K. Eysenbach et al., petitioners, *v.* Sammie Naharkey. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Charles B. Stuart for the petitioners, and by Mr. Edmund Lashley for the respondent.

No. 585. George Dail, Trustee in Bankruptcy, etc., et al., petitioners, *v.* H. A. Hart & Brother. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. T. D. Warren for the petitioners, and by Mr. L. I. Moore for the respondent.

No. 586. Samuel Schechter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. S. Drescher for the petitioner.

No. 587. W. S. McCray, petitioner, *v.* Sapulpa Petroleum Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Finis E. Riddle for the petitioner, and by Mr. Jerre P. O'Meara for the respondent.

No. 588. Joseph Levin et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ellwood P. Morey and Mr. John L. McNab for the petitioners, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

No. 591. The District of Columbia, petitioner, *v.* Howe Totten. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. H. Stephens and Mr. Robert L. Williams for the petitioner, and by Mr. Henry E. Davis for the respondent.

No. 598. Frederick N. Littleton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John W. Preston and Mr. Annette Abbott Adams for the petitioner.

No. 600. United States ex rel. Troy Laundry Machinery Company, Limited, petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George L. Wilkinson, Mr. Henry M. Huxley, and Mr. Ralph Munden for the petitioner, and by Mr. Hostetler, and Mr. H. E. Knight for the respondent.

No. 602. Road District No. 4 of Shelby County, Texas, petitioner, *v.* Home Bank and Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Hampson Gary for the petitioner, and by Mr. H. M. Garwood for the respondent.

No. 604. Hughes Bros. Timber Company, petitioner, *v.* The State of Minnesota. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. W. D. Bailey and Mr. Oscar Mitchell for the petitioner, and by Mr. Clifford L. Hilton and Mr. G. A. Youngquist for the respondent.

No. 605. The City of South Houston et al., petitioners, *v.* John L. Carman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Lewis R. Bryan for the petitioner, and by Mr. Robert L. Cole for the respondent.

No. 607. The United States of America, Owner of the Steamship *Sagaporack*, petitioner, *v.* Norfolk Dredging Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Solicitor General Mitchell, Mr. Letts, Mr. J. Frank Staley, and Mr. H. H. Rumble for the petitioner, and by Mr. Henry H. Little for the respondent.

No. 614. Carl Franz Adolf Otto Ingenohl, petitioner, *v.* Walter E. Olsen & Company, Inc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Joseph C. Meyerstein for the petitioner, and by Mr. Allison D. Gibbs for the respondent.

No. 617. The New York Central Railroad Company, petitioner, *v.* Frank Sanders. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. William S. Rann and Mr. F. D. McKenney for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 618. Lewis & Conger et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. John Gibbon Duffy for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Hoppin for the respondent.

No. 619. S. William Levinson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Miller Outcalt, Mr. Dudley C. Outcalt, and Mr. Joseph W. Huntzman for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Harry S. Ridgely for the respondents.

No. 620. The Mead Fibre Company, petitioner, *v.* W. H. Varn et al., Copartners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. F. B. Grier for the petitioner, and by Mr. J. M. Moorer for the respondents.

No. 621. Willie Conner et al., plaintiffs in error, *v.* H. U. Bartlett et al. Petition for a writ of certiorari herein submitted by Mr. William Neff for the plaintiffs in error in support of the petition.

No. 622. S. Blattner, doing business as United Produce Company, petitioner, *v.* A. H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George C. Bedell for the petitioner, and by Mr. W. M. Toomer, Mr. W. T. Stockton, Mr. Herman Ulmer, and Mr. A. B. Lovett for the respondents.

No. 623. Yu Cong Eng et al., etc., petitioners, *v.* W. Trinidad, as Collector of Internal Revenue, etc., et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Frederic R. Coudert, Mr. Allison D. Gibbs, and Mr. Frederic R. Coudert, jr., for the respondents.

No. 627. The City of Seattle, petitioner, *v.* Puget Sound Power and Light Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Thomas J. L. Kennedy for the petitioner, and by Mr. James B. Howe for the respondent.

No. 632. William E. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. C. Flansburg for the petitioners.

No. 633. J. H. Bunnell & Company, Inc., et al., petitioners, *v.* Radio Corporation of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Walter H. Pumphrey for the petitioners, and by Mr. L. F. H. Betts for the respondent.

No. 637. Charles H. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. C. Flansburg for the petitioner.

No. 638. Lawrence Moore Byerly, petitioner, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry H. Wilson and Mr. Elmer J. Burkett for the petitioner, and by Mr. C. Petrus Peterson for the respondents.

No. 639. The City of Sour Lake et al., petitioners, *v.* Vernon H. Brauch. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William D. Gordon for the petitioners, and by Mr. Chester I. Long, Mr. Austin M. Cowan, Mr. J. D. Houston, Mr. Claude I. Depew, and Mr. W. E. Stanley for the respondent.

No. 640. Charles H. Unverzagt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Tracy L. Jeffords and Mr. Edwin C. Dutton for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 641. Charles H. Unverzagt, petitioner, *v.* E. B. Benn, as United States Marshal for the Western District of Washington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Tracy L. Jeffords and Mr. Edwin C. Dutton for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 642. Pinkie E. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. C. Flansburg for the petitioners.

No. 643. Pierce Wrapping Machine Company, petitioner. *v.* Terkelsen Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Frederick P. Fish, Mr. Harrison F. Lyman, and Mr. Albert L. Ely for the petitioner, and by Mr. George P. Dike for the respondent.

No. 644. The Fisheries Products Company et al., petitioners, *v.* Abraham S. See & Depew, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. D. Warren for the petitioners, and by Mr. Robert H. Elder and Mr. Otho S. Bowling for the respondent.

No. 653. Elizabeth F. Shukert et al., Executrices, etc., petitioners, *v.* Arthur B. Allen, Collector of Internal Revenue for the District of Nebraska. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Arthur F. Mullen for the petitioners, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

No. 654. Merchants Bank & Trust Company, petitioner, *v.* J. Frank Pflug et al. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Joseph E. Alexander and Mr. C. T. Bundy for the petitioner.

No. 656. George Owen Squier, petitioner, *v.* American Telephone & Telegraph Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. R. Randolph Hicks and Mr. George F. Canfield for the petitioner, and by Mr. Charles Neave for the respondent.

No. 657. Olof L. Bruce et al., petitioners, *v.* Dudley K. Woodward, Jr., as Receiver, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. H. V. Mercer for the petitioner, and by Mr. George S. Grimes for the respondent.

No. 658. Robert Gallagher et al., appellants, *v.* John E. Hannigan, Trustee in Bankruptcy, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Lowell A. Mayberry for the appellants in support of the petition, and by Mr. John E. Hannigan for the appellee in opposition thereto.

No. 659. Petroleum Iron Works Company, Inc., petitioner, *v.* Willis C. Wright. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Harry Preston Lawther for the petitioner.

No. 660. F. M. (Bee) Adams et al., petitioners, *v.* The State of Kansas. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. James A. Cobb and Mr. Elisha Scott for the petitioners.

No. 661. Erie Iron & Metal Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. John B. Brooks for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Herman J. Galloway for the respondent.

No. 662. Empire Engineering Company, plaintiff in error, *v.* White, Gratwick and Mitchell, Inc. Petition for a writ of certiorari herein submitted by Mr. Adelbert Moot and Helen Z. M. Rodgers for the plaintiff in error in support of the petition, and by Mr. Laurence E. Coffey for the defendant in error in opposition thereto.

No. 664. Charles A. Stoneham, petitioner, *v.* Walter A. Clifford et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Max D. Steuer for the petitioner, and by Mr. William M. Chadbourne and Mr. Francis L. Kohlman for the respondents.

No. 665. John Browning, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Cir-

cuit Court of Appeals for the Eighth Circuit submitted by Mr. H. P. White and Mr. Allen W. Comstock for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 666. The Chesapeake & Ohio Railway Company, petitioner, *v.* John T. Diederich, Administrator of the Estate of Leonard Callihan, deceased. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. LeWright Browning and Mr. Stanley Reed for the petitioner, and by Mr. John F. Hager for the respondent.

No. 667. W. P. Black et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Norman B. Morrell for the petitioners.

No. 668. Panama Railroad Company, petitioner, *v.* Simon Theokistou. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. F. Edward Mitchell for the petitioner.

No. 669. John W. Ellenberg, petitioner, *v.* Birmingham Belt Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. Hugo L. Black for the petitioner.

No. 671. Michael T. Naughton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Alonzo H. Raney and Corinne L. Rice for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Harry S. Ridgely for the respondent.

No. 672. Norman T. Whitaker, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. N. T. Whitaker for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Harry S. Ridgely for the respondent.

No. 673. *Ex parte*: Ernest Stoffregen, petitioner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Melville Church, Mr. William G. Johnson, and Mr. Charles E. Tullar for the petitioner, and by Mr. Solicitor General Mitchell and Mr. H. E. Knight in opposition thereto.

No. 676. The United States of America at the relation of The Kansas City Southern Railway Company et al., petitioners, *v.* Interstate Commerce Commission. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr.

S. W. Moore, Mr. F. H. Moore, and Mr. T. P. Littlepage for the petitioners, and by Mr. P. J. Farrell for the respondent.

No. 677. The Sugarland Industries et al., petitioners, *v.* Old Colony Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. M. Garwood for the petitioners, and by Mr. Henry C. Coke for the respondent.

No. 678. Edmond Van Dyk, petitioner, *v.* William A. Young. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William G. Cooke for the petitioner, and by Mr. Godfrey Goldmark for the respondent.

No. 680. Joseph Seeman et al., petitioners, *v.* Philadelphia Warehouse Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Samuel F. Frank for the petitioners, and by Mr. Owen J. Roberts and Mr. Charles A. Riegelman for the respondent.

No. 682. Jacob L. Fisher and Frederick W. Fisher, petitioners, *v.* James F. A. Clark et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herman S. Hertwig for the petitioners, and by Mr. Clarence J. Shearn for the respondents.

No. 683. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator, etc. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Thomas D. O'Brien, Mr. Edward S. Stringer, and Mr. Daniel Taylor for the petitioner.

No. 684. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Fred A. Elder. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Thomas D. O'Brien, Mr. Edward S. Stringer, and Mr. Daniel Taylor for the petitioner, and by Mr. Tom Davis and Mr. Ernest A. Michel for the respondent.

No. 685. E. J. Fitzgerald, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Herbert Pope and Mr. Frank E. Harkness for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Donovan for the respondent.

No. 686. William A. Rhea, petitioner, *v.* Thomas C. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Thomas Hackney for the petitioner.

No. 688. Herman D. Ruhm, petitioner, *v.* Herschel C. Ogden. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Richard B. Cavanagh for the petitioner, and by Mr. Merritt Lane for the respondent.

No. 689. General Fire Extinguisher Company, petitioner, *v.* George I. Rockwood. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles Neave and Mr. Frederick P. Fish for the petitioner, and by Mr. Louis W. Southgate and Mr. O. Ellery Edwards for the respondent.

No. 690. Thomas McDonnell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Robert N. Golding and Mr. Charles A. Williams for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 691. Washington Market Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Charles A. Douglas and Mr. Alexander Wolf for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Galloway for the respondent.

No. 694. Robert L. Messel, petitioner, *v.* Foundation Company. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana submitted by Mr. J. F. Pierson for the petitioner.

No. 695. Eberhart Steel Products Company, Inc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. William D. Harris for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Herman J. Galloway, and Mr. R. R. Koch for the respondent.

No. 703. Max Pottash et al., petitioners, *v.* Birds, Heilgers, Ironsides, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Ira Jewell Williams for the petitioners.

No. 704. Louis Underleider et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Bernard Handlan for the petitioners, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 705. Albert Eick, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Bernard Handlan for the petitioner, and by Mr. Arthur R. Wells for the respondents.

No. 706. Mary C. H. Frenzer et al., petitioners, *v.* Arthur J. Frenzer, also known as Arthur Frenzer Mackey, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Will H. Thompson for the petitioner, and by Mr. Arthur R. Wells for the respondents.

No. 707. Ephraim A. Schwarzenberg, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Edward F. McClennan and Mr. Walter S. Hilborn for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Herman J. Galloway for the respondent.

No. 708. Harry Nadl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Frans E. Lindquist for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 709. Salvador Serra, petitioner, *v.* The Estate of the deceased Lazaro Mota et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. F. C. Fisher and Mr. Edwin S. Puller for the petitioner.

No. 711. Creamery Package Manufacturing Company, petitioner, *v.* H. H. Miller Industries Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Lincoln B. Smith and Mr. W. Clyde Jones for the petitioner, and by Mr. Glen E. Smith for the respondent.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, as Collector of Internal Revenue, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. James H. McIntosh for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 713. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* United States ex rel. G. Thomas Birkenstock et al., Executors, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Sewell Key for the petitioner, and by Mr. James Craig Peacock and Mr. John W. Townsend for the respondents.

No. 714. Federal Trade Commission, petitioner, *v.* Alfred Klesner, doing business under the name "Shade Shop," Hooper and Klesner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Solicitor General Mitchell, Mr. Olin C. Fuller, and Mr. Neff for the petitioner.

No. 715. Ng Lin Go, petitioner, *v.* Luther Weedon, as Commissioner of Immigration at the Port of Seattle. Petition for a writ

of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John J. Sullivan and Mr. Roger O'Donnell for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Oscar R. Lühring for the respondent.

No. 716. The United States of America, petitioner, *v.* Central Railroad Company of New Jersey. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Mitchell and Mr. Herman J. Galloway for the petitioner.

No. 717. Buenaventura Lopez et al., petitioners, *v.* El Hogar Filipino, sociedad mitua de construccion y pristamos, et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. George E. Wallace and Mr. Pedro Guerara for the petitioners, and by Mr. Clyde A. De Witt for the respondent.

No. 718. Edward F. Goltra, petitioner, *v.* John W. Weeks, Secretary of War of the United States, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Jos. T. Davis and Mr. Douglas W. Robert for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Ira Lloyd Letts, Mr. Lon O. Hocker, and Mr. Frank J. Staley for the respondents.

No. 719. The United States of America, petitioner, *v.* William F. Brims et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Donovan, Mr. Roger Shale, and Mr. Ralph C. Williamson for the petitioner, and by Mr. Robert W. Childs, Mr. Albert Fink, and Mr. Hope Thompson for the respondents.

No. 720. Albert H. Benhard et al., petitioners, *v.* Charles A. Stoneham. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. William M. Chadbourne for the petitioner, and by Mr. Max D. Steuer for the respondent.

No. 721. Thatcher Manufacturing Company, petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles Henry Butler for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Olin C. Fuller for the respondent.

No. 723. The Wabash Railway Company, petitioner, *v.* Hugh L. Britton, an Infant, by his next friend, Barry Britton. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Clarke E. Baldwin for the petitioner, and by Mr. B. D. Chandler for the respondent.

No. 724. Susquehanna Steamship Company, Inc., petitioner, *v.* A. O. Anderson & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Charles R. Hickox for the petitioner, and by Mr. H. S. Hertwig and Mr. John A. McManus for the respondent.

No. 725. Federal Trade Commission, petitioner, *v.* Eastman Kodak Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell, Mr. Olin C. Fuller, and Mr. William A. Sweet for the petitioner, and by Mr. Clarence P. Moser and Mr. John W. Davis for the respondent.

No. 728. Dr. B. W. Crabb, petitioner, *v.* Warren H. Kerby et al. Petition for a writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. Eustace Smith for the petitioner, and by Mr. Charles B. Griffith.

No. 732. Edmond Fenstermacher, petitioner, *v.* Chicago, Rock Island & Pacific Railway Company, etc. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Platt Hubbell for the petitioner, and by Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Luther Burus, and Mr. John E. Dolman.

No. 733. George D. Harter Bank, petitioner, *v.* Richard Inglis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner.

No. 734. George D. Harter Bank, petitioner, *v.* Mary P. Charles. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner.

No. 735. George D. Harter Bank, petitioner, *v.* Howard F. Domigan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner.

No. 736. George D. Harter Bank, petitioner, *v.* J. E. Brate. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner.

No. 737. George D. Harter Bank, petitioner, *v.* Mrs. F. U. LeMay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. M. Horn for the petitioner.

No. 740. Ellamar Mining Company, petitioner, *v.* The Alaska Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit sub-

mitted by Mr. George de Steiguer and Mr. John H. Powell for the petitioner, and by Mr. W. H. Bogle and Mr. Lane Summers.

No. 741. Public Utilities Commission of Rhode Island et al., petitioners, *v.* Attleboro Steam & Electric Company. Petition for a writ of certiorari to the Supreme Court of the State of Rhode Island submitted by Mr. Arthur M. Allen, Mr. Charles P. Sisson, Mr. Roland W. Boyden, and Mr. Frank D. Comerford for the petitioners.

No. 742. Charles DeWitt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. Wallace Bryan for the petitioner.

No. 744. Mashie Berenson, petitioner, *v.* H. G. Vogel Company, Inc. Petition for a writ of certiorari to the Superior Court of Suffolk County, State of Massachusetts, submitted by Mr. Francis P. Garland for the petitioner.

No. 745. Patrick O'Donoghue, petitioner, *v.* Mary Jaeger. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George E. Sullivan for the petitioner.

No. 20. Capital City Water Company, plaintiff in error, *v.* The Public Service Commission of Missouri. In Error to the Supreme Court of the State of Missouri. Dismissed, per stipulation.

No. 21. William B. Thompson, plaintiff in error, *v.* The City of St. Louis et al. In Error to the Supreme Court of the State of Missouri. Dismissed, per stipulation.

No. 43. Apalachicola Land & Development Company, plaintiff in error, *v.* W. A. McRae, Commissioner of Agriculture of the State of Florida, et al. Motion to dismiss submitted by Mr. Rivers Buford and Mr. Fred T. Myers for the defendants in error in support of the motion, and by Mr. Fred H. Davis and Mr. E. Tillman Davis for the plaintiffs in error in opposition thereto.

No. 48. Daisy M. Scott et al., plaintiffs in error, *v.* The City of Columbus, Ohio. Motion to dismiss submitted by Mr. Charles A. Leach for the defendant in error in support of the motion, and by Mr. Timothy S. Hogan and Mr. John S. Hogan for the plaintiffs in error in opposition thereto.

No. 197. The Arkansas River Gas Company, plaintiff in error, *v.* Board of County Commissioners of Sedgwick County, Kansas, et al. Motion to dismiss submitted by Mr. I. N. Williams for the defendants in error in support of the motion, and by Mr. Joseph S. Clark and Mr. Thomas C. Wilson for the plaintiff in error in opposition thereto.

No. 323. Federal Reserve Bank of Atlanta, plaintiff in error, *v.* Leo J. Drum et al., etc. In Error to the District Court of the United States for the Northern District of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 331. Clarence A. Anderson *v.* James W. Clune. Submitted, pursuant to the 23d rule, by Mr. Burgess W. Marshall for Clarence A. Anderson.

No. 508. A. L. Hartline, petitioner, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, on motion of counsel for the petitioner.

No. 582. John B. Bailey, petitioner, *v.* The United States of America. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed, on motion of counsel for the petitioner.

No. 616. The Interstate Cooperage Company, petitioner, *v.* Ronald S. Swain. On petition for a writ of certiorari to the Supreme Court of the State of North Carolina. Dismissed, on motion of counsel for the petitioner.

No. 1, original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Joint motion for leave to file stipulation for extension of contract submitted by R. M. McConnell for the complainant.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Hearing on exceptions to Report of Commissioners assigned for this day.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas.

No. 4, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Status of case presented.

No. 5, original. The State of New York, complainant, *v.* The Bulls Ferry Chemical Company. Dismissed, per stipulation.

No. 6, original. The State of New York, complainant, *v.* Valvoline Oil Company. Dismissed, per stipulation.

No. 7, original. The State of New York, complainant, *v.* Midland Linseed Products Company of New Jersey. Dismissed, on authority of counsel for the complainant.

No. 8, original. The State of New York, complainant, *v.* Corn Products Refining Company. Dismissed, per stipulation.

No. 9, original. The State of New York, complainant, *v.* Barrett Manufacturing Company. Dismissed, per stipulation.

No. 10, original. The State of South Dakota, complainant, *v.* The State of Minnesota. Dismissed, per stipulation.

No. 11, original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Continued, on motion of Mr. William C. Prentiss for the complainant.

No. 12, original. The State of New Mexico, complainant, *v.* The State of Colorado. Status of case presented.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States of America, intervener. Status of case presented.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Status of case presented.

No. 15, original. The State of Arkansas, complainant, *v.* The State of Mississippi. Rule to show cause why bill of complaint should not be dismissed ordered to issue.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Status of case presented.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Status of case presented by Mr. Solicitor General Mitchell for the complainant.

No. 18, original. The United States of America, complainant, *v.* The State of Minnesota. Status of case presented by Mr. Solicitor General Mitchell for the complainant.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Status of case presented.

No. 20, original. The State of New Jersey, complainant, *v.* Harry M. Daugherty, etc., et al. Resignation of Harry M. Daugherty as Attorney General, and of William C. Wallace as Secretary of Agriculture suggested; and John G. Sargent as Attorney General and Howard M. Gore as Secretary of Agriculture, ordered substituted as parties defendant, on motion of Mr. Harry R. Coulomb for the complainant. Case submitted on briefs.

No. 21, original. The United States of America, complainant, *v.* The State of Wisconsin. Status of case presented.

No. 22, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Status of case presented by Mr. Robert Ash for the complainant.

No. 1. Auditore Contracting Company, Inc., et al., petitioners, *v.* Foreign Trade Banking Corporation. On writ of certiorari to the

United States Circuit Court of Appeals for the Second Circuit.
Dismissed, per stipulation.

No. 2. Railroad and Warehouse Commission of the State of Minnesota et al., appellants, *v.* Duluth Street Railway Company. Appeal from the District Court of the United States for the District of Minnesota. Dismissed, per stipulation.

No. 8. Harry Glassman, petitioner, *v.* Robert C. Rand, Temporary Receiver, etc. Rule to show cause why writ of certiorari should not be dismissed ordered to issue.

No. 9. Chriss Landsberg, petitioner, *v.* The San Francisco & Portland Steamship Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed for want of prosecution.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Argued on exceptions to Report of Commissioners by Mr. G. T. Fitzhugh for the defendant, and by Mr. Caruthers Ewing for the complainant.

No. 254. Joseph P. Margolin, petitioner, *v.* The United States of America. Argued by Miss Susan Brandeis and Mr. Benjamin S. Kirsh for the petitioner, and by Mr. Assistant to the Attorney General Donovan for the respondent.

No. 415. Terrence Druggan, appellant, *v.* Palmer E. Anderson, United States Marshal, et al. Argument commenced by Mr. Michael J. Ahern for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 6, will be as follows: Nos. 415, 5, 10, 11, 12, 13, 14, 15, 16, and 17.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Francis X. Busch, of Chicago, Ill.; Michael J. Matta, of Philadelphia, Pa.; Thomas G. Nairn, of Phoenix, Ariz.; and Carter Smith, of Tulsa, Okla., were admitted to practice.

No. 12. John L. Anderson, plaintiff in error, *v.* The City of Macon et al. In error to the Supreme Court of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 13. Riley Smith, plaintiff in error, *v.* The State of Nebraska. Rule to show cause on or before Monday, October 26, 1925, why the writ of error in this cause should not be dismissed, ordered to issue.

No. 14. Ray A. Lower, plaintiff in error, *v.* The State of Nebraska. Rule to show cause on or before Monday, October 26, 1925, why the writ of error in this cause should not be dismissed, ordered to issue.

No. 415. Terrence Druggan, appellant, *v.* Palmer E. Anderson, U. S. Marshal, et al. Appeal from the District Court of the United States for the Northern District of Illinois. Argument continued by Mr. Michael J. Ahearn for the appellant. The court declined to hear further argument. Judgment affirmed with costs.

No. 5. Hubert Work, Secretary of the Interior, appellant, *v.* The State of Louisiana. Argued by Mr. H. L. Underwood for the appellant, and by Mr. S. L. Herold for the appellee.

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. Argued by Mr. Walter H. Pollak for the plaintiff in error, and by Mr. John H. Riordan for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 7, will be as follows: Nos. 11, 15, 16, 17, 18, 19, 22, 23, 24, and 27.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Banton Moore, of New York City; Stanley P. Hall, of Taunton, Mass.; Thomas J. Frailey, of Emmitsburg, Md.; Arthur V. Harper, of Boston, Mass.; Earl Anderson, of Phoenix, Ariz.; and George D. Schurman, of New York City, were admitted to practice.

No. 19. Road Improvement District No. 1 of Clark County, Arkansas, et al., etc., appellants, *v.* Charles S. Thornton et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed, subject to a motion to restore showing satisfactory evidence of cause for delay to be submitted within 10 days.

No. 11. Anna Woerishoffer et al., Executrix, etc., appellants, *v.* The United States. Argued by Mr. H. T. Newcomb for the appellants and by Mr. Alfred A. Wheat for the appellee.

No. 15. Edgar S. Appleby et al., Individually, etc., plaintiffs in error, *v.* The City of New York et al.; and

No. 16. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks, etc. One and one-half hours allowed each side for the argument of this cause. Argued by Mr. Charles E. Hughes for the plaintiffs in error, and by Mr. Charles J. Nehrbas for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 8, will be as follows: Nos. 17, 18, 22, 23, 24, 27, 28, 29, 32, and 33.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

William F. Collins, of Elkins, Olka.; George A. Lytle, of Edwardsville, Ill.; and John Frederick Eeck, of Edwardsville, Ill., were admitted to practice.

No. 28. The Piqua Hosiery Company, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, per stipulation.

No. 17. Stanley P. Hall et al., Administrators, etc., appellants, *v.* F. Alexander Chandler et al., etc. Argument commenced by Mr. Stanley P. Hall for the appellants. The Court declined to hear further argument.

No. 17. Stanley P. Hall et al., Administrators, etc., appellants, *v.* F. Alexander Chandler et al., etc. Appeal from the United States Circuit Court of Appeals for the First Circuit. Dismissed for the want of jurisdiction.

No. 18. John W. Murphy, Attorney General, etc., et al., appellants, *v.* A. Sardell. Argument commenced by Mr. Earl Anderson for the appellants, continued by Mr. T. G. Nairn and Mr. Challen B. Ellis for the appellee, and concluded by Mr. Earl Anderson for the appellants.

No. 22. Wesley M. Smith, appellant, *v.* W. P. McCullough et al. Argued by Mr. A. Scott Thompson for the appellants, and by Mr. Joseph C. Stone for the appellees.

No. 23. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Argument commenced by Mr. William Neff for the plaintiff in error, and continued by Mr. Carter Smith for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 9, will be as follows: Nos. 23, 24, 27, 29, 32, 33, 34, 35, 37, and 38.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

James R. Bedgood, of Atlanta, Ga.; Edward M. Deegan, of New York City; Cornell Sidney Franklin, of Honolulu, Hawaii; George M. Green, of Oklahoma City, Okla.; and Carter W. Wesley, of Muskogee, Okla., were admitted to practice.

No. **705**. Albert Eick, petitioner, *v.* United States of America. Leave granted to file reply brief for petitioner on or before Thursday next, on motion of Mr. Otto A. Schlobohm, in behalf of counsel for the petitioner.

No. **546**. Newport News Shipbuilding and Dry Dock Company, petitioner, *v.* Joseph W. Isherwood, etc., Trustee. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit. Dismissed on motion of counsel for the petitioner.

No. **757**. Swift and Company, petitioner, *v.* Federal Trade Commission. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Dismissed per stipulation.

No. **23**. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. Argument continued by Mr. Carter Smith for the defendant in error and concluded by Mr. William Neff for the plaintiff in error.

No. **24**. Western Union Telegraph Company, plaintiff in error, *v.* The State of Georgia, as Owner, etc. Argued by Mr. John G. Milburn and Mr. Francis Raymond Stark for the plaintiff in error and by Mr. Henry C. Peebles for the defendant in error.

No. **27**. Henry F. Mueller et al., appellants, *v.* Samuel W. Adler et al. Continued on motion of Mr. Henry J. Richardson for the appellants.

No. **29**. The United States, appellant, *v.* Boston Insurance Company. Argued by Mr. Alfred A. Wheat for the appellant and by Mr. Abram R. Serven for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 12, will be as follows: Nos. **32, 33, 34, 35, 37, 38, 39, 40, 41, and 42**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Shields M. Goodwin, of Warren, Ark.; Joseph C. H. Flynn, of Brooklyn, N. Y.; Alfred C. Bennett, of New York City; Robert B. Bennett, of Washington, D. C.; and A. Diaz Viera, of Rio Piedras, P. R., were admitted to practice.

No. 6. Thomas Agnello et al., petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed as to Thomas Agnello, and affirmed as to the remaining petitioners; and cause remanded to the District Court of the United States for the Eastern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 125. The United States of America *ex rel.* Walter S. Kennedy et al., appellants, *v.* Frank M. Tyler, as Sheriff of Erie County, et al. Appeal from the District Court of the United States for the Western District of New York. Final order affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 221. J. W. Patterson, doing business as J. W. Patterson Commission Company, et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Georgia. Opinion by Mr. Justice Brandeis.

The Chief Justice announced the following orders of the court:

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Motion to reassign this cause granted; and the cause reassigned for argument on Monday, January 4 next.

No. 681. The State of Ohio *ex rel.* Joseph Hanson, plaintiff in error, *v.* James W. Caldwell, Receiver, et al. Motion for leave to proceed in forma pauperis herein denied, for the reason that the

court has examined the record and finds the writ of error to be frivolous.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Report of the receiver ordered to be received and filed. Leave granted to open, file, and publish the testimony herein.

No. 72. Clara Showalter, plaintiff in error, *v.* Georgia Valliere Hampton. Motion to require plaintiff in error to supersede judgment and give bond denied. Case placed upon the summary docket and assigned for argument on Monday, October 19 next, at the head of the call for that day.

No. 623. Yu Cong Eng et al., etc., petitioners, *v.* W. Trinidad, as Collector, etc. Leave granted to file suggestions of the Chinese Legation herein.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Motion for leave to amend the bill of complaint herein granted; and a rule ordered to issue requiring defendants to file answer or make other defense on or before Monday, January 4 next.

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. Case A;

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. Case B; and

No. —, original. Ex parte in the matter of the State of Maryland, petitioner. Case C. Motions for leave to file petitions for writs of mandamus herein granted; and rules to show cause ordered to issue, returnable within 30 days, why peremptory writs should not issue.

No. 88. Fidelity & Deposit Company of Maryland, appellant, *v.* J. M. Luna et al. Motion to substitute appellees by consent is granted, under paragraph 4 of rule 17, section 11 of the act of Congress of February 13, 1923.

No. —, original. Ex parte in the matter of the City of Monterey, petitioner. Motion for leave to file petition for a writ of mandamus denied by the court in the exercise of its discretion, without prejudice to the petitioner's other remedies.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Motion to set this cause for hearing granted; and the cause assigned for Monday, January 4 next, after the cases heretofore assigned for that day.

No. 4, original. The State of Vermont, complainant, *v.* The State of New Hampshire. Motion for the appointment of Benjamin W. Crouch, of Concord, N. H., and John H. Mimms, of Burlington, Vt., named by the parties as commissioners for the taking of testi-

mony and documentary evidence, according to the stipulation filed June 1, 1921, granted.

No. 1, original. The State of Georgia, complainant, *v.* The Tennessee Copper Company et al. Motion for leave to file stipulation for extension of contract granted; and a rule ordered to issue to show cause, on or before the first day of the next term, why the suit should not be concluded and the cause stricken from the docket.

No. 295. Henry P. Keith, Late Collector, petitioner, *v.* Emma B. Johnson, as Administratrix. Motion to advance granted; and the cause assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.

No. 315. Marion-Rye Valley Railway Company, appellant, *v.* The United States. Motion to advance granted; and the cause assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.

No. 611. Port Gardner Investment Company *v.* The United States of America. Motion to advance granted; and the cause assigned for argument on Monday, January 4 next, after the cases heretofore assigned for that day.

No. 454. Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America; and

No. 496. Frank E. Stripe et al., Receivers, petitioners, *v.* The United States of America. Motions to advance to be heard with cases Nos. 192 and 503, heretofore assigned for Monday, November 2 next, are denied, with leave to counsel in these cases, Nos. 454 and 496, to submit on briefs on that day.

No. 729. Northern Cedar Company, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.;

No. 730. Yakima County Horticultural Union, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.; and

No. 731. C. W. Chamberlain & Company et al., plaintiffs in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al. Motion to advance granted; and the cases assigned for argument on Monday, January 11 next.

No. 218. Southern Railway Company, plaintiff in error, *v.* Commonwealth of Kentucky, by, etc. Motion to advance denied.

No. 219. James C. Davis, Director General, plaintiff in error, *v.* Commonwealth of Kentucky, by, etc. Motion to advance denied.

No. 628. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian, et al.;

No. 629. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian, et al.; and

No. 630. Deutsche Bank of Berlin, Germany, appellant, *v.* Leopold Zimmermann et al. Motion to advance these cases to be heard with Nos. 80 and 81, when the latter cases are reached in the regular call of the docket, denied, with leave to counsel in these cases, Nos. 628, 629, and 630, to submit on briefs on that day.

No. 260. Panama Rail Road Company, petitioner, *v.* Agapito Vasquez, Administrator. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, January 11 next, after the cases heretofore assigned for that day.

No. 421. The City of Tulsa et al., appellants, *v.* Oklahoma Natural Gas Company et al. Motion to advance denied.

No. 567. Board of Public Utility Commissioners et al., appellants, *v.* New York Telephone Company. Motion to advance granted; and cause assigned for argument on Monday, January 18 next.

No. 462. Harman W. McMahon, petitioner, *v.* Montour Railroad Company. Motion to advance granted; and cause placed on the summary docket and assigned for argument on Monday, January 18 next, after the case heretofore assigned for that day.

No. 421. The City of Tulsa et al., appellants, *v.* Oklahoma Natural Gas Company et al. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of *Pawhuska v. Pawhuska Oil Company*, 250 U. S. 394; *Trenton v. New Jersey*, 262 U. S. 182; *Newark v. New Jersey*, 252 U. S. 192, 196.

No. 236. George E. Bowling et al., plaintiffs in error, *v.* Frank Beaver et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 144. Chicago, Rock Island & Pacific Railway Company, plaintiff in error, *v.* Mrs. Abi Janney. In error to the Court of Appeal, Second Circuit, of the State of Louisiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 186. Henry F. duPont, plaintiff in error, *v.* Cornelius R. Miller, as Director of Public Works and Buildings, etc. In error to the Supreme Court of the State of Illinois. Per curiam: Dismissed for failure to apply for writ of error in time as required by section 6 of the act of September 6, 1916, c. 448, 39 Stat. 727.

No. 48. Daisy M. Scott et al., plaintiffs in error, *v.* The City of Columbus, Ohio. In error to the Supreme Court of the State of Ohio. Per curiam: Dismissed for the want of jurisdiction upon authority of *Erie Railroad v. Solomon*, 237 U. S. 427, 431.

No. 197. The Arkansas River Gas Company, plaintiff in error, *v.* Board of County Commissioners of Sedgwick County, Kansas, et al. In error to the Supreme Court of the State of Kansas. Per curiam: Dismissed for the want of jurisdiction on the authority of *Erie R. R. v. Purdy*, 185 U. S. 148; *Layton v. Missouri*, 187 U. S. 356; *Louisville & Nashville R. R. v. Woodford*, 234 U. S. 46, 51.

No. 17. Stanley P. Hall et al., Administrators, appellants, *v.* F. Alexander Chandler et al., Receivers. Appeal from the United States Circuit Court of Appeals for the First Circuit. Per curiam: Dismissed for the want of jurisdiction upon authority of *Begg v. New York City*, 262 U. S. 196, 198; *Shultes v. McDougal*, 225 U. S. 561, 568.

No. 23. Prince Tyner, plaintiff in error, *v.* Henry Buffington et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. Petition for writ of certiorari herein denied.

No. 43. Apalachicola Land & Development Company, plaintiff in error, *v.* W. A. McRae, Commissioner of Agriculture of the State of Florida, et al. Further consideration of the motion to dismiss postponed until the hearing of the cause on the merits.

No. 529. Northern Railway Company, petitioner, *v.* Donald Page et al., Administrators. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 555. James McDonald, Jr., et al., etc., petitioners, *v.* Lawrence Maxwell et al., Executors. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 558. The United States, petitioner, *v.* Stone & Downer Company et al. Petition for a writ of certiorari to the United States Court of Customs Appeals granted.

No. 604. Hughes Bros. Timber Company, petitioner, *v.* The State of Minnesota. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 614. Carl Franz Adolph Otto Ingenohl, petitioner, *v.* Walter E. Olsen & Company, Inc. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 335. Continental Casualty Company et al., petitioners, *v.* Alfred W. Agee, Administrator. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Ordered that the order of June 8, 1925, granting a writ of certiorari herein be revoked because of the receipt of a certified copy of the opinion of the Supreme Court of the State of Utah in the case of Carter *v.* Standard Accident Insurance Company. Petition dismissed.

No. 395. Thomas E. Buford, petitioner, *v.* North American Accident Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 412. N. M. Baldwin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 460. Don Chafin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 466. Guiseppe Napolitano, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 474. The Texas & Pacific Railway Company, petitioner, *v.* Z. L. Jarrett. Petition for a writ of certiorari to the Court of Civil Appeals for the Sixth Supreme Judicial District of the State of Texas denied.

No. 475. M. Scheuer et al., Trustees, petitioners, *v.* St. Paul Fire & Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 476. The State of Montana, petitioner, *v.* Sunburst Refining Company. Petition for a writ of certiorari to the Supreme Court of the State of Montana denied.

No. 478. Salvadore Larrocca, petitioner, *v.* C. J. Everett, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 479. Pan-American Bank & Trust Company et al., petitioners, *v.* National City Bank of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 483. H. Ely Goldsmith, Certified Public Accountant, petitioner, *v.* William Clabaugh et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 484. C. H. Hodgkinson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 485. F. M. Withers, petitioner, *v.* William E. White, Trustee;

No. 486. F. M. Withers, petitioner, *v.* William E. White, Trustee;

No. 487. Withers Bros., petitioner, *v.* William E. White, Trustee; and

No. 488. Withers Bros., petitioner, *v.* William E. White, Trustee. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 489. J. L. Chapman, Commissioner of Banking of the State of Texas, et al., petitioners, *v.* R. M. Clayton, Jr., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 490. American Smelting & Refining Company, petitioner, *v.* George Campbell Carson. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 492. Edmond C. Fletcher, petitioner, *v.* Percy Kellogg, Executor. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 507. Herman Peterson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 511. Federal Trade Commission, petitioner, *v.* The John C. Winston Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 514. Federal Trade Commission, petitioner, *v.* Chicago Portrait Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 516. Mary Ellen Dickson et al., petitioners, *v.* A. C. Neal et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 524. R. McColgan, petitioner, *v.* Charles H. Clark. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 526. Samuel Sanday et al., petitioners, *v.* The United States Shipping Board Emergency Fleet Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 527. The American Automobile Accessories Company, petitioner, *v.* Jerome H. Remick Company. Petition for a writ of cer-

tiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 530. William F. Falligan, petitioner, *v.* Citizens Trust & Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 531. John F. Herr, petitioner, *v.* Citizens Trust & Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 532. Giorgio Borelli, as Administrator, petitioner, *v.* International Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 534. The Pullman Company, petitioner, *v.* Jacob S. Waln et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 537. Domenico Lazzaro, petitioner, *v.* Luther Weedon, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 538. Alexander Sedgwick, petitioner, *v.* Thomas E. Wing, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 539. The Baltimore & Ohio Railroad Company, petitioner, *v.* Charles Tittle. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 540. Kock Shing, petitioner, *v.* John P. Johnson, Commissioner of Immigration; and

No. 541. Kock Tung, petitioner, *v.* John P. Johnson, Commissioner of Immigration. Petitions for writs of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 542. Alfred T. White, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 544. James Skipitar, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 545. Mississippi Central Railroad Company et al., petitioners, *v.* Ernest Knight. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 547. The United States of America ex rel. Wilbur H. Rock, petitioner, *v.* Cuno H. Rudolph et al., Commissioners, etc. Petition

for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 560. Isadore Luvisch, petitioner, *v.* W. I. Biddle, Warden, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 563. American Central Life Insurance Company, petitioner, *v.* American Trust Company, Guardian, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 569. Fannie B. Jones et al., Administrators, petitioners, *v.* Pearl Mosier et al., etc. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 571. Mary Ann Parramore et al., etc., petitioners, *v.* The Denver & Rio Grande Western Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 572. W. D. Kynerd, petitioner, *v.* John A. Hulen, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 573. Leong Don, petitioner, *v.* William T. Christy, Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 575. Mystic Steamship Company, petitioner, *v.* Diamond-O Navigation Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 576. William F. Young, petitioner, *v.* J. E. Stillwell. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 577. W. Martin Jones, Jr., petitioner, *v.* Thomas Midgley et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 581. Herman Mielke, petitioner, *v.* James B. Schermerhorn. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 583. O. K. Eysenbach et al., petitioners, *v.* Sammie Naharkey. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 585. George Dail, Trustee, etc., petitioner, *v.* H. A. Hart & Brother. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 586. Samuel Schechter, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 587. W. S. McCray, petitioner, *v.* Sapulpa Petroleum Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 588. Joseph Levin et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 591. The District of Columbia, petitioner, *v.* Howe Totten. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 598. Frederick N. Littleton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 600. United States ex rel. Troy Laundry Machinery Company, Limited, petitioner, *v.* Thomas E. Robertson, Commissioner of Patents. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 602. Road District No. 4 of Shelby County, Texas, petitioner, *v.* Home Bank and Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 605. The City of South Houston et al., petitioners, *v.* John L. Carman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 607. The United States of America, Owner of the Steamship *Sagaporack*, petitioner, *v.* Norfolk Dredging Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 748. Edgar P. Bledsoe, County Treasurer, etc., petitioner, *v.* St. Louis-San Francisco Railway Company. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Solicitor General Mitchell in that behalf.

No. 493. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, Jr., et al., Executors. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. A. T. Vogelsang in that behalf.

No. 748. Edgar P. Bledsoe, County Treasurer, etc., petitioner, *v.* St. Louis-San Francisco Railway Company. Leave granted to file a brief herein in opposition to the petition for a writ of certiorari

on or before the 19th instant, on motion of Mr. A. R. Williams for the respondent.

No. 744. Mashie Berenson, petitioner, *v.* H. G. Vogel Company, Inc. Ten days' extension of time within which to serve printed record granted, on motion of Mr. Frederic D. McKenney in behalf of Mr. Francis P. Garland for the petitioner.

No. 80. Frederick C. Hicks, Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al. Leave granted to file a brief herein as amici curiæ, on motion of Mr. Bernard Hershkopf, Mr. William D. Guthrie, Mr. Lewis R. Conklin, and Mr. Isidor J. Kresel in that behalf.

No. 465. St. Paul & Tacoma Lumber Company, appellant, *v.* Northern Pacific Railway Company. Motion to dismiss submitted by Mr. Alexander Britton in behalf of Mr. Charles W. Bunn, Mr. L. B. da Punte, and Mr. Dennis F. Lyons for the appellee in support of the motion, and by Mr. Benjamin S. Grosscup for the appellant in opposition thereto.

No. 746. The Bank of the Philippine Islands, petitioner, *v.* Wenceslao Trinidad, Collector. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Jesse C. Adkins for the petitioner, and by Mr. Mark E. Guerin for the respondents.

No. 747. Coast Steamship Company et al., petitioners, *v.* William S. Brady. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph C. Rich for the petitioners, and by Mr. Palmer Pillans for the respondent.

No. 748. Edgar P. Bledsoe, County Treasurer, etc., petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John B. Dudley for the petitioner.

No. 749. National Surety Company, petitioner, *v.* Salt Lake County et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Ray Van Cott for the petitioner, and by Mr. John Jensen for the respondents.

No. 512. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Petition for a writ of certiorari herein submitted by Mr. Solicitor General Mitchell, Mr. Herman J. Galloway, and Mr. J. R. Anderson for the appellant in support of the petition.

No. 43. Apalachicola Land & Development Company, plaintiff in error, *v.* W. A. McRae, Commissioner of Agriculture of the State of Florida, et al. Submitted, pursuant to the 23d rule, by Mr. Fred

H. Davis and Mr. E. Tillman Davis for the plaintiff in error, and by Mr. Rivers Buford and Mr. Fred T. Myers for the respondents.

No. 39. Marianna Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer of Hamilton County, Ohio; and

No. 40. Mortimer Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer of Hamilton County, Ohio. Submitted by Mr. Mortimer Matthews for the plaintiff in error, and by Mr. Charles S. Bell for the defendant in error.

No. 32. James C. Davis, Agent, etc., petitioner, *v.* L. D. Alexander et al. Argued by Mr. William F. Collins for the petitioner, and cause submitted by Mr. Fred E. Suits for the respondents.

No. 33. The People of the State of New York, etc., plaintiff in error, *v.* Public Service Commission of the State of New York. Leave granted to file a motion to dismiss herein within one week, on motion of Mr. Edward M. Deegan in that behalf; with leave to counsel for the plaintiff in error to file an answer thereto and affidavits within one week thereafter. Argument commenced by Mr. J. A. Dykman for the plaintiff in error, continued by Mr. Edward M. Deegan for the defendant in error, by Mr. J. A. Dykman for the plaintiff in error, and by Mr. Edward M. Deegan for the defendant in error, and concluded by Mr. J. A. Dykman for the plaintiff in error.

No. 34. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* Edwin W. Poe et al. Argument commenced by Mr. Daniel O. Hastings for the appellants, and continued by Mr. Stuart S. Janney and Mr. J. Kemp Bartlett for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 13, will be as follows: Nos. 34, 35, 37, 38, 41, 42, 44, 45, 46, and 49.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

S. Helen Eisenhardt, of Washington, D. C.; Scotia Stark Haggerty, of Washington, D. C.; and Alexander White Spence, of Dallas, Tex., were admitted to practice.

No. 49. Public Utilities Commission of the State of Kansas et al., appellants, *v.* The Arkansas Valley Interurban Railway Company. Continued, per stipulation.

No. 34. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* Edwin W. Poe et al. Argument continued by Mr. J. Kemp Bartlett for the appellees, and concluded by Mr. Hartwell Cabell for the appellant.

No. 35. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Argument commenced by Mr. S. A. Foster for the appellants, continued by Mr. Charles M. Bracelen and Mr. John W. Davis for the appellee, and concluded by Mr. S. A. Foster for the appellants.

No. 37. Central Union Telephone Company, plaintiff in error, *v.* The City of Edwardsville, Illinois. Argument commenced by Mr. William D. Bangs for the plaintiff in error. The court declined to hear further argument.

No. 38. Harry B. Stilz, appellant, *v.* The United States. Argument commenced by Mr. Harry B. Stilz, pro se.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 14, will be as follows: Nos. 38, 41, 42, 44, 45, 46, 50, 51, 52, and 53.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

James A. Beha, of New York City; William E. Brooks, of Miami, Ariz.; Philip S. Hopkins, of Binghamton, N. Y.; and John W. Murphy, of Phoenix, Ariz., were admitted to practice.

No. 38. Harry B. Stilz, appellant, *v.* The United States. Argument continued by Mr. John W. Loveland for the appellee, and concluded by Mr. Harry B. Stilz, pro se.

No. 41. Samuel Freshman, petitioner, *v.* W. S. Atkins. Argued by Mr. Paul Carrington for the petitioner. No appearance for the respondent.

No. 42. Southern Electric Company, plaintiff in error, *v.* Francis R. Stoddard, Jr., Superintendent, etc. Submitted by Mr. Arthur F. Gotthold, Mr. Thomas M. Fields, Mr. Frank J. Hogan, and Mr. Walter W. Gross for the plaintiff in error, and by Mr. C. C. Fowler, Mr. James A. Beha, and Mr. Alfred C. Bennett for the defendant in error.

No. 44. Concrete Appliances Company et al., petitioners, *v.* John E. Gomery et al. Argument commenced by Mr. S. J. Cox for the petitioners, and continued by Mr. George B. Jones for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 15, will be as follows: 44, 45 (and 46), 50, 51, 52, 53, 54, 55, 56, and 57.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Otis James Baughn, of Phoenix, Ariz., was admitted to practice.

No. 54. Kansas City Structural Steel Company, plaintiff in error. *v.* The State of Arkansas for the use and benefit of Ashley County. Submitted by Mr. Armwell L. Cooper, Mr. Charles T. Coleman, and Mr. J. W. House, jr., for the plaintiff in error, and by Mr. J. R. Wilson for the defendant in error.

No. 56. John B. Macken et al., plaintiffs in error. *v.* The City of Waterbury. Continued, per stipulation.

No. 57. Great Northern Railway Company, petitioner, *v.* Charles W. Reed and Dora Reed, his wife. Submitted by Mr. F. G. Dorey for the petitioner and by Mr. E. V. Kuykendall for the respondents.

No. 44. Concrete Appliances Company et al., petitioners, *v.* John E. Gomery et al. Argument continued by Mr. George B. Jones for the respondent and concluded by Mr. Stephen J. Cox for the petitioners.

No. 45. M. Frank Donohue, plaintiff in error, *v.* The State of Maine; and

No. 46. Frank C. Power, plaintiff in error, *v.* The State of Maine. Submitted by Mr. Edward W. Wheeler for the defendant in error. No brief filed for the plaintiff in error.

No. 50. Fleischman Construction Company et al., plaintiffs in error, *v.* The United States of America to the use of G. W. Frosburg et al. Argued by Mr. Levi H. David for the plaintiffs in error and by Mr. Bynum E. Hinton for the defendants in error.

No. 51. The Buckeye Coal and Railway Company et al., appellants, *v.* The Hocking Valley Railway Company et al. Argument commenced by Mr. William O. Henderson for the appellants, continued

by Mr. John F. Wilson and Mr. Arthur H. Van Brunt for the appellees, and concluded by Mr. William Burry for the appellants.

No. 52. Iver Olbers, plaintiff in error, *v.* United States Shipping Board Emergency Fleet Corporation et al. Argument commenced by Mr. Silas Blake Axtell for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 16, will be as follows: Nos. 52, 53, 55, 58, 59 (and 60), 61, 62, 63, 64, and 65.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Arthur J. Brosseau, of Washington, D. C.; Martin Croissant, of Pittsburgh, Pa.; and Everett E. Kent, of Boston, Mass., were admitted to practice.

No. 58. John W. Stephenson et al., appellants, *v.* H. L. Kirtley et al. Submitted by Mr. Edward W. Knight and Mr. Harold A. Ritz for the appellants, and by Mr. J. H. McClintic for the appellees.

No. 52. Iver Olders, plaintiff in error, *v.* U. S. Shipping Board Emergency Fleet Corporation et al. Argument continued by Mr. Silas Blake Axtell for the plaintiff in error, by Mr. J. Frank Staley for the defendant in error, and concluded by Mr. Silas Blake Axtell for the plaintiff in error.

No. 53. American Railway Express Company, petitioner, *v.* George C. Daniel. Argued by Mr. Blair Foster for the petitioner. No appearance for the respondent.

No. 55. Old Dominion Land Company, plaintiff in error, *v.* The United States of America. Argument commenced by Mr. J. Winston Read for the plaintiff in error, continued by Mr. Blackburn Esterline for the defendant in error, and concluded by Mr. Thomas H. Willcox for the plaintiff in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, October 19, will be as follows: Nos. 72, 59 (and 60), 61, 62, 63, 64, 65, 66, 67, and 68.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

E. C. Fitzgerald, of Miami, Okla.; Horace Sloan, of Jonesboro, Ark.; Milton P. Firestone, of St. Paul, Minn.; John M. Daniel, of Greenville, S. C.; Harry LeBaron Sampson, of Boston, Mass.; John O. Collins, of Ancon, Canal Zone; Thomas E. Rhodes, of Washington, D. C.; Cyril Wesley McClean, of Washington, D. C.; and Anthony P. Nugent, of Kansas City, Mo., were admitted to practice.

No. 415. Terrence Druggan, appellant, *v.* Palmer E. Anderson, United States Marshal, etc., et al. Appeal from the District Court of the United States for the Northern District of Ohio. Final order affirmed with costs October 6, 1925. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 554. Norman S. Bowles, appellant, *v.* W. I. Biddle, Warden of the United States Penitentiary, Leavenworth, Kansas. Motion to advance and admit to bail denied.

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. In error to the District Court of Appeal, First Appellate District, Division One, of the State of California. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726.

No. 18. John W. Murphy, Attorney General of the State of Arizona, et al., appellants, *v.* A. Sardell. Appeal from the District Court of the United States for the District of Arizona. Per curiam: The judgment of the District Court is affirmed upon the authority of *Adkins v. Children's Hospital*, 261 U. S. 525. Mr. Justice Holmes requests that it be stated that his concurrence is solely upon the ground that he regards himself bound by the decision in *Adkins v. Children's Hospital*. Mr. Justice Brandeis dissents.

No. 43. Apalachicola Land & Development Company et al., plaintiffs in error, *v. W. A. McRae, Commissioner of Agriculture of the State of Florida, et al.* In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for the want of jurisdiction on the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 35. Frank L. Smith et al., appellants, *v. Illinois Bell Telephone Company.* Appeal from the District Court of the United States for the Northern District of Illinois. Per curiam: Affirmed upon the authority of *Chicago & Great Western Ry. Co. v. Kendall*, 266 U. S. 96, 100.

No. 45. M. Frank Donohue, plaintiff in error, *v. The State of Maine; and*

No. 46. Frank C. Power, plaintiff in error, *v. The State of Maine.* In error to the Supreme Judicial Court of the State of Maine. Per curiam: Dismissed for want of jurisdiction upon the authority of (1) section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; (2) *United States v. Lanza*, 260 U. S. 377, 382; *Twining v. New Jersey*, 211 U. S. 78, 93; *Barron v. Baltimore*, 7 Peters, 243.

No. 623. Yu Cong Eng and Co Liam, for themselves and for the Benefit of other Persons similarly situated and affected, petitioners, *v. W. Trinidad, as Collector of Internal Revenue. et al.* Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 653. Elizabeth F. Shukert et al., Executrices of the Estate of Gustave E. Shukert, deceased, petitioner, *v. Arthur B. Allen, Collector of Internal Revenue for the District of Nebraska.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 680. Joseph Seeman et al., etc., petitioners, *v. Philadelphia Warehouse Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 683. Chicago, Rock Island & Pacific Railway Company, petitioner, *v. A. D. Schendel, as Special Administrator of the Estate of Clarence Y. Hope, deceased.* Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 684. Chicago, Rock Island & Pacific Railway Company, petitioner, *v. Fred A. Elder.* Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 686. William A. Rhea, petitioner, *v.* Thomas C. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 694. Robert L. Messel, petitioner, *v.* Foundation Company. Petition for a writ of certiorari to the Supreme Court of the State of Louisiana granted.

No. 310. Carter Lynch, Trustee in Bankruptcy of the Tennessee River Coal Company, plaintiff in error, *v.* Nashville, Chattanooga & St. Louis Railway Company et al. Petition for a writ of certiorari herein denied.

No. 455. James Scott, plaintiff in error, *v.* Morris National Bank of Morris. Petition for a writ of certiorari herein denied.

No. 617. The New York Central Railroad Company, petitioner, *v.* Frank Sanders. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 618. Lewis & Conger et al., petitioners, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals denied.

No. 619. S. William Levinson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 620. The Mead Fibre Company, petitioner, *v.* W. H. Varn et al., Copartners as Varn Brothers Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 622. S. Blattner, doing business as United Produce Company, petitioner, *v.* A. H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 627. The City of Seattle, petitioner, *v.* Puget Sound Power and Light Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 632. William E. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 633. J. H. Bunnell & Company, Inc., et al., petitioners, *v.* Radio Corporation of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 637. Charles H. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 638. Lawrence Moore Byerly, petitioner, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 639. The City of Sour Lake et al., petitioners, *v.* Vernon H. Branch. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

No. 640. Charles H. Unverzagt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 641. Charles H. Unverzagt, petitioner, *v.* E. B. Benn, as United States Marshal for the Western District of Washington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 642. Pinkie E. Moore et al., petitioners, *v.* Lincoln Hospital Association et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 643. Pierce Wrapping Machine Company, petitioner, *v.* Terkelsen Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 644. The Fisheries Products Company et al., Receivers of The Fisheries Products Company, petitioners, *v.* Abraham S. See & Depew, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 656. George Owen Squier, petitioner, *v.* American Telephone & Telegraph Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 657. Olof L. Bruce et al., petitioners, *v.* Dudley K. Woodward, Jr., as Receiver of the Northern Oil and Gas Company. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 659. Petroleum Iron Works Company, Inc., petitioner, *v.* Willis C. Wright. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 660. F. M. (Bee) Adams et al., petitioners, *v.* The State of Kansas. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 661. Erie Iron & Metal Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 664. Charles A. Stoneham, petitioner, *v.* Walter A. Clifford et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 720. Albert H. Benhard et al., petitioners, *v.* Charles A. Stoneham. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 665. John Browning, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 666. The Chesapeake and Ohio Railway Company, petitioner, *v.* John T. Diederich, Administrator of the Estate of Leonard Callihan, deceased. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky denied.

No. 667. W. P. Black et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 668. Panama Railroad Company, petitioner, *v.* Simon Theokistou. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 669. John W. Ellenberg, petitioner, *v.* Birmingham Belt Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 671. Michael T. Naughton, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 672. Norman T. Whitaker, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 673. *Ex parte* Ernest Stoffregen, petitioner. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 676. The United States of America at the relation of The Kansas City Southern Railway Company et al. *v.* Interstate Commerce Commission. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 677. The Sugarland Industries et al., petitioners, *v.* Old Colony Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 678. Edmond Van Dyk, petitioner, *v.* William A. Young. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 682. Jacob L. Fisher et al., petitioners, *v.* James F. A. Clark et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 685. E. J. Fitzgerald, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 688. Herman D. Ruhm, petitioner, *v.* Herschel C. Ogden. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 689. General Fire Extinguisher Company, petitioner, *v.* George I. Rockwood. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 690. Thomas McDonnell, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 691. Washington Market Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 695. Eberhart Steel Products Company, Inc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

ORDER

The court will take a recess from Monday, the 26th instant, until Monday, November 16 next.

No. 344. International-Great Northern Railroad Company, appellant, *v.* John Roosevelt Sneed et al. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed with costs on motion of Mr. R. M. Hudson in behalf of Mr. Samuel B. Dabney for the appellant.

No. 80. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al.; and

No. 81. Benjamin Guinness et al., petitioners, *v.* Frederick C. Hicks, as Alien Property Custodian, et al. Leave granted to file a brief as amicus curiae and to make oral argument herein, on motion of Mr. A. J. Peaslee in that behalf.

No. 87. Independent Wireless Telegraph Company, petitioner, *v.* Radio Corporation of America. Leave granted to file a brief herein as amicus curiae, on motion of Mr. A. J. Peaslee in that behalf.

No. 118. J. O'Neal Sandel, as Administrator of the Personal Estate of Thelma Sandel, deceased, plaintiff in error, *v.* The State of South Carolina. Motion to dismiss or affirm submitted by Mr. A. M. Lumpkin and Mr. Samuel M. Wolfe for the defendant in error in support of the motion, and by Mr. Wm. N. Graydon in opposition thereto.

No. 543. Mayor and Board of Aldermen of the Town of Vidalia, appellants, *v.* S. B. McNeely. Motion to advance submitted by Mr. G. P. Bullis for the appellants.

No. 761. Victor Talking Machine Company, petitioner, *v.* Brunswick-Balke-Collender Company et al. Motion to withhold consideration of the petition for a writ of certiorari herein until the petition in No. 775 is submitted, submitted by Mr. H. P. Brown in that behalf; and motion granted.

No. 91. The United States, appellant, *v.* St. Louis, San Francisco & Texas Railway Company; and

No. 92. The United States, appellant, *v.* Wabash Railway Company. Leave granted to file a brief herein as amici curiae, on motion of Mr. Charles H. Bates in that behalf.

No. 19. Road Improvement District No. 1 of Clark County, Arkansas, et al., appellants, *v.* Charles S. Thornton et al. Motion to reinstate this cause submitted by Mr. H. J. Balzer in behalf of counsel for the appellants, in support of the motion, and by Mr. Julian C. Hammack, Mr. R. E. Wiley, and Mr. Bynum E. Hinton for the appellees in opposition thereto.

No. 752. The American Surety Company of New York, petitioner, *v.* The Springfield National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Henry J. Booth and Mr. James I. Boulger for the petitioner.

No. 754. S. L. Leatherman et al., petitioners, *v.* A. J. Mayse et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Reilly and Mr. James G. Wilson for the petitioner.

No. 755. Central of Georgia Railway Company, petitioner, *v.* Lillie May Davis, as Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William H. Sadler, jr., for the petitioner.

No. 758. Meredith Hanna, Guardian of the Estate of Norris W. H. Haupt, a Minor, petitioner, *v.* The Pennsylvania Company for Insurance on Lives and Granting Annuities, et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Meredith Hanna for the petitioner.

No. 759. National Transit Company, petitioner, *v.* James C. Davis, Director General of Railroads. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. James M. Beck, Mr. Frank L. Crawford, Mr. Myron Harris, and Mr. Hugh C. Dorworth for the petitioner.

No. 761. Victor Talking Machine Company, petitioner, *v.* Brunswick-Balke-Collender Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles E. Hughes, Mr. William Clarke Mason, Mr. George W. Schurman, and Mr. William Houston Kenyon for the petitioner.

No. 155. Robert S. Lee et al., plaintiffs in error, *v.* The People of the State of Illinois ex rel. Louis L. Emmerson, Secretary of State of the State of Illinois. In error to the Supreme Court of the State of Illinois. Dismissed with costs, pursuant to the eleventh rule.

No. 300. Merchants Mutual Automobile Liability Insurance Company of Buffalo, N. Y., plaintiff in error, *v.* Phebe M. Bennett, as Administratrix, etc. In error to the Supreme Court of the State of New York. Dismissed with costs, pursuant to the eleventh rule.

No. 321. The United States of America ex rel. Mary Strup, appellant, *v.* George Williams, Criminal Sheriff for the Parish of Orleans, Louisiana. Appeal from the District Court of the United States for the Eastern District of Louisiana. Dismissed with costs, pursuant to the eleventh rule.

No. 519. Henderson-Waits Lumber Company, plaintiff in error, *v.* W. F. Croft, for the use and benefit of the First National Bank of De Funiak Springs, Florida. In error to the Supreme Court of the State of Florida. Dismissed with costs, pursuant to the eleventh rule.

No. 66. John C. Rose, plaintiff in error, *v.* The State of South Dakota. Continued, per stipulation, on motion of Mr. Robert F. Cogswell in that behalf.

No. 72. Clara Showalter, plaintiff in error, *v.* Georgia Valliere Hampton. Argument commenced by Mr. Herbert H. McCluer for the plaintiff in error. The court declined to hear further argument.

No. 59. Gulf Refining Company of Louisiana et al., appellants, *v.* The United States of America; and

No. 60. Mrs. Lydia Hanszen McMullen et al., appellants, *v.* The United States of America. Argued by Mr. S. L. Herold for the appellants, and by Mr. H. L. Underwood for the appellee.

No. 61. Louisville Bedding Company, appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant. The court declined to hear further argument.

No. 62. The Hudson Bay Knitting Company, Limited, appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant. The court declined to hear further argument.

No. 63. William Meier, plaintiff in error, *v.* The State of Florida. Argued by Mr. H. C. Clark for the plaintiff in error, and submitted by Mr. Rivers Buford for the defendant in error.

No. 64. Fidelity & Deposit Company of Maryland, appellant, *v.* The City of Cleburne et al. Argument commenced by Mr. Washington Bowie, jr., for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, October 20, will be as follows: Nos. 64, 65, 67, 68, 69, 70 (and 71), 73, 74, 75, and 78.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Allan T. C. Gordon, of Pittsburgh, Pa.; David I. McCahill, of Pittsburgh, Pa.; Edward O. Tabor, of Pittsburgh, Pa.; and Wesley F. Pape, of Washington, D. C., were admitted to practice.

No. 303. The United States of America, petitioner, *v.* James Daugherty. Leave granted to substitute A. P. Nugent as counsel for the respondent, on motion of Mr. A. P. Nugent in that behalf.

No. 78. Carrie E. Rowley, plaintiff in error, *v.* The State of Iowa. In error to the Supreme Court of the State of Iowa. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 64. Fidelity & Deposit Company of Maryland, appellant, *v.* The City of Cleburne et al. Argument continued by Mr. Washington Bowie, jr., for the appellant, by Mr. Alex. W. Spence and Mr. Ethan B. Stroud, jr., for the appellees, and concluded by Mr. Washington Bowie, jr., for the appellant.

No. 65. The United States of America, petitioner, *v.* New York & Cuba-Mail Steamship Company. Argued by Mr. Assistant Attorney General Letts for the petitioner, and by Mr. Mark W. Maclay for the respondent.

No. 67. Burk-Waggoner Oil Association, plaintiff in error, *v.* George C. Hopkins, Collector of Internal Revenue, Second District of Texas. Argument commenced by Mr. Harry C. Weeks for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, October 21, will be as follows: Nos. 67, 68, 69, 70 (and 71), 73, 74, 75, 79, 80 (and 81), and 82.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Bernabe Africa, of Manila, P. I., was admitted to practice.

No. 79. James C. Davis, Director General and Agent, etc., petitioner, *v.* John L. Roper Lumber Company. Submitted by Mr. A. A. McLaughlin and Mr. R. M. Hughes, jr., for the petitioner, and by Mr. C. M. Blair for the respondent.

No. 82. J. Edmund Michael, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed on motion of counsel for the appellant.

No. 67. Burk-Waggoner Oil Association, plaintiff in error, *v.* George C. Hopkins, Collector of Internal Revenue, Second District of Texas. Argument continued by Mr. H. C. Weeks for the plaintiff in error, and by Mr. Alfred A. Wheat for the defendant in error, and concluded by Mr. Arnold R. Baar for the plaintiff in error.

No. 68. Lipshitz & Cohen, a Partnership, etc., plaintiff in error, *v.* The United States of America. Argument commenced by Mr. H. A. Alexander for the plaintiff in error. The court declined to hear further argument.

No. 69. Joseph Hodgson, plaintiff in error, *v.* The Midwest Oil Company et al. Argument commenced by Mr. J. M. Hodgson for the plaintiff in error. The court declined to hear further argument.

No. 69. Joseph Hodgson, plaintiff in error, *v.* The Midwest Oil Company et al. In error to the District Court of the United States for the District of Wyoming. Transferred to the United States Circuit Court of Appeals for the Eighth Circuit.

Nos. 70 and 71. The People's Natural Gas Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania et al. Argument commenced by Mr. George B. Gordon for the plaintiffs in error, and continued by Mr. J. E. B. Cunningham for the defendant in error, The City of Johnstown, and by Mr. F. M. Hunter for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, October 22, will be as follows: Nos. 70 (and 71), 73, 74, 75, 80 (and 81), 83, 84, 85, 86, and 87.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Byrd Earle White, of Dallas, Tex., and James J. Cosgrove, of New York City, were admitted to practice.

No. 80. Thomas W. Miller, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al.; and

No. 81. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. John W. Davis for Guaranty Trust Company of New York.

No. 80. Thomas W. Miller, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al.; and

No. 81. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Leave granted to file a brief herein as amicus curiae, on motion of Mr. William St. John Tozer for Mr. Charles E. Hughes.

No. 83. W. Carl Holloway, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, on motion of counsel for the appellant.

No. 84. Frank Schatz, Administrator of Michael H. Fisher, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, on motion of counsel for the appellant.

No. 86. Miles W. Gibbons, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of Ohio. Decree reversed, on confession of error, on motion of Mr. Alfred A. Wheat for the appellee; and cause remanded for further proceedings.

No. 70. The People's Natural Gas Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania et al.; and

No. 71. The People's Natural Gas Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Penn-

sylvania et al. Argument continued by Mr. F. M. Hunter for the defendant in error, the Public Service Commission of the Commonwealth of Pennsylvania, and concluded by Mr. George B. Gordon for the plaintiff in error.

No. 73. Live Oak Water Users' Association et al., plaintiffs in error, *v.* The Railroad Commission of the State of California et al. Argued by Mr. F. S. Brittain for the plaintiffs in error, and by Mr. Carl I. Wheat for the defendants in error.

No. 74. The State of Arkansas ex rel. J. S. Utley, Attorney General, etc., plaintiff in error, *v.* St. Louis-San Francisco Railway Company et al. Argued by Mr. Horace Sloan for the plaintiff in error and petitioner, and submitted by Mr. Thomas B. Pryor, Mr. Gordon Frierson, Mr. William J. Orr, Mr. Edward L. Westbrooke, and Mr. Edward T. Miller for the defendants in error and respondents.

No. 75. United Gas & Electric Engineering Corporation, appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant. The court declined to hear further argument.

No. 80. Thomas W. Miller, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al.; and

No. 81. Benjamin Guinness et al., petitioners, *v.* Thomas W. Miller, Alien Property Custodian, et al. Argument commenced by Mr. Alexander B. Seigel for the petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, October 23, will be as follows: Nos. 80 (and 81), 85, 87, 88, 89, 90, 93, 94, 95 (to 100), and 101.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Adelbert Broun, of Oklahoma City, Okla.; Hamilton Vreeland, jr., of New York City; Henry Silwold, of Newton, Iowa; Woodson W. Bercaw, of Washington, D. C.; Lloyd Edwin Pollock, of Waynesburg, Pa.; Arturo Reichard, of Aguadilla, P. R.; Alida Smith, of Washington, D. C.; and David Oscar Smith, of Washington, D. C., were admitted to practice.

No. 68. Lipshitz & Cohen, a Partnership, etc., plaintiff in error, *v. The United States of America*. Motion for leave to file an additional brief herein submitted by Mr. Henry A. Alexander for the plaintiff in error, and motion denied.

No. 89. Thorvald Berg et al., appellants, *v. The United States*. Submitted by Mr. Paul Cooksey for the appellants, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. J. Frank Staley for the appellee.

No. 90. Henry Albrecht, Senior, et al., plaintiffs in error, *v. The United States of America*. Continued, on motion of Mr. Paul Christian in that behalf.

No. 94. L. Littlejohn & Company, Inc., et al., appellants, *v. The United States of America*. Passed temporarily, on motion of Mr. J. Frank Staley in that behalf.

No. 80. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v. Benjamin Guinness et al.*; and

No. 81. Benjamin Guinness et al., petitioners, *v. Frederick C. Hicks, Alien Property Custodian, et al.* Argument continued by Mr. Alexander B. Siegel for Benjamin Guinness et al., by Mr. Dean Hill Stanley for Frederick C. Hicks as Alien Property Custodian, by Mr. Thomas G. Haight for Carl Joerger et al., and concluded by Mr. Alexander B. Siegel for Benjamin Guinness et al.

No. 87. Independent Wireless Telegraph Company, petitioner, *v. Radio Corporation of America*. Argued by Mr. William H. Davis for the petitioner, and by Mr. John W. Davis for the respondent.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

James A. Tobey, of Washington, D. C.; Oscar A. Stephens, of Warren, Ohio; Archibald C. Matteson, of Providence, R. I.; Lawrence J. Kosters, of Washington, D. C.; Edward M. Dangel, of Boston, Mass.; Teodoro M. Kalaw, of Manila, P. I.; and Thomas H. Hood, of Denver, Colo., were admitted to practice.

No. 53. American Railway Express Company, petitioner, *v.* George C. Daniel. On writ of certiorari to the Supreme Court of the State of Georgia. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 543. Mayor and Board of Aldermen of the Town of Vidalia, appellants, *v.* S. B. McNeely. Motion to advance granted; and cause assigned for argument on Monday, January 25 next.

No. 19. Road Improvement District No. 1 of Clark County, Arkansas, et al., appellants, *v.* Charles S. Thornton et al. Motion to reinstate this cause to the docket denied.

No. 118. J. O'Neal Sandel, Administrator, plaintiff in error, *v.* The State of South Carolina. In error to the Supreme Court of the State of South Carolina. Per curiam: Dismissed for want of jurisdiction upon the authority of *Iowa Central Ry. Co. v. Iowa*, 160 U. S. 389, 393; *Castillo v. McConnico*, 168 U. S. 674, 683; *Rawlins v. Georgia*, 201 U. S. 638; *Burt v. Smith*, 203 U. S. 129, 136; *Standard Oil Co. v. Missouri*, 224 U. S. 270, 281; *DeBearn v. Safe Deposit Co.*, 233 U. S. 24, 34; *McDonald v. Oregon R. R. & Navigation Co.*, 233 U. S. 665, 669-670; *Gasquet v. Lapeyre*, 242 U. S. 367, 369, 370.

No. 52. Iver Olbers, plaintiff in error, *v.* U. S. Shipping Board Emergency Fleet Corporation et al. In error to the United States Circuit Court of Appeals for the Second Circuit. Per curiam:

Judgment affirmed with costs upon the authority of Chicago Junction Ry. Co., 222 U. S. 222, 224; *Boehmer v. Pennsylvania R. R. Co.*, 252 U. S. 495, 498.

No. 72. Clara Showalter, plaintiff in error, *v. Georgia Valliere Hampton*. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448; sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrolton*, 252 U. S. 1, 5-6.

No. 61. Louisville Bedding Company, appellant, *v. The United States*; and

No. 62. The Hudson Bay Knitting Company, Limited, appellant, *v. The United States*. Appeals from the Court of Claims. Per curiam: These two appeals, allowed before the going into effect of the act of February 13, 1925, revising the jurisdiction of this court, abolishing appeals from the Court of Claims and requiring that review may be had of its judgments only by certiorari, abundantly show the wisdom of the change. They invoke no substantial question of law, they did not merit and did not elicit a formal opinion from the Court of Claims, and they do not call for one here. The appeals are accordingly dismissed and the judgment of the Court of Claims is affirmed.

No. 63. William Meier, plaintiff in error, *v. The State of Florida*. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 64. Fidelity & Deposit Company of Maryland, appellant, *v. The City of Cleburne et al.* Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Per curiam: Affirmed with costs upon the authority of *Texas & Pacific Ry. Co. v. Railroad Commission of Louisiana*, 232 U. S. 338, 339; *Washington Securities Co. v. United States*, 234 U. S. 76, 78; *Baker v. Scholfield*, 243 U. S. 114, 118; *Piedmont & G. C. Coal Co. v. Seaboard Fisheries Co.*, 254 U. S. 1, 13.

No. 69. Joseph Hodgson, plaintiff in error, *v. The Midwest Oil Company et al.* In error to the District Court of the United States for the District of Wyoming. Per curiam: Transferred to the United States Circuit Court of Appeals for the Eighth Circuit upon the authority of the act of September 6, 1916, c. 448, sec. 3, 39 Stat. 726, and section 238 of the Judicial Code as amended by section 238 (a), act of September 14, 1922, c. 305; *Smith v. Apple*, 264 U. S. 274. Order that case be transferred entered October 21, 1925.

No. 75. United Gas & Electric Engineering Corporation, appellant, *v.* The United States. Appeal from the Court of Claims. Per curiam: Judgment affirmed upon the authority of *Baltimore and Ohio Railroad Co. v. The United States*, 261 U. S. 592, 597; *Baltimore and Ohio Railroad Co. v. United States*, 261 U. S. 385.

No. 89. Thorvald Berg et al., appellants, *v.* The United States. Appeal from the Court of Claims. Per curiam: Dismissed upon the authority of *Omnia Commercial Co. v. The United States*, 262 U. S. 502.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, Collector. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 713. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* The United States ex rel. G. Thomas Birkenstock et al., Executors. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 714. Federal Trade Commission, petitioner, *v.* Alfred Klesner, doing business under the name "Shade Shop." Petition for a writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 716. The United States of America, petitioner, *v.* Central Railroad Company of New Jersey. Petition for a writ of certiorari to the Court of Claims granted.

No. 718. Edward F. Goltra, petitioner, *v.* John W. Weeks, Secretary of War, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 719. The United States of America, petitioner, *v.* William F. Brims et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 721. Thatcher Manufacturing Company, petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 725. Federal Trade Commission, petitioner, *v.* Eastman Kodak Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 740. Ellamar Mining Company, petitioner, *v.* The Alaska Steamship Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 741. Public Utilities Commission of Rhode Island et al. Petition for a writ of certiorari to the Supreme Court of the State of Rhode Island granted.

No. 494. Louisiana & Western Railroad Company, plaintiff in error, *v.* John B. Gardiner. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 495. A. J. Thigpen et al., plaintiffs in error, *v.* Midland Oil Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 574. Chicago and Eastern Illinois Railway Company, plaintiff in error, *v.* Chicago Heights Terminal Transfer Railroad Company. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the writ of error.

No. 512. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Further consideration of the petition for a writ of certiorari herein postponed until the hearing of the cause on the appeal.

No. 394. Eastern Products Corporation et al., petitioners, *v.* Tennessee Coal, Iron & Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 654. Merchants Bank & Trust Company, petitioner, *v.* J. Frank Pflug et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 452. Laura Smith, administratrix, etc., petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for a writ of certiorari to the Appellate Court of the State of Illinois denied.

No. 497. Joe H. Tiger, petitioner, *v.* William M. Fewell et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 509. Frank C. Mebane, as Receiver, plaintiff in error, *v.* Staten Island Railway Company et al. Petition for a writ of certiorari herein denied.

No. 566. The Gulf and Ship Island Railroad Company, petitioner, *v.* C. G. Hendricks. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi denied.

No. 570. James C. Davis, Agent, petitioner, *v.* Louis Phillips et al. Petition for a writ of certiorari to the Superior Court of Bristol County, State of Massachusetts, denied.

No. 621. Willie Conner et al., plaintiffs in error, *v.* H. U. Bartlett et al. Petition for a writ of certiorari herein denied.

No. 658. Robert Gallagher et al., appellants, *v.* John E. Hannigan, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 703. Max Pottash and Harry Pottash, Copartners, etc., petitioners, *v.* Birds, Heilgers, Ironsides, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 704. Louis Underleider et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 705. Albert Eick, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 706. Mary C. H. Frenzer et al., petitioners, *v.* Arthur J. Frenzer, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 707. Ephraim A. Schwarzenberg, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 708. Harry Nadl, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 709. Salvador Serra, petitioner, *v.* The Estate of the Deceased Lazaro Mota et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 711. Creamery Package Manufacturing Company, petitioner, *v.* H. H. Miller Industries Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 715. Ng Lin Go, petitioner, *v.* Luther Weedon, as Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 717. Buenaventura Lopez et al., petitioners, *v.* El Hogar Filipino, etc., et al. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 723. The Wabash Railway Company, petitioner, *v.* Hugh L. Britton, An Infant, etc. Petition for a writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 724. Susquehanna Steamship Company, Inc., petitioner, *v.* A. O. Anderson & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 732. Edmond Fenstermacher, petitioner, *v.* Chicago, Rock Island & Pacific Railway Company, etc. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 733. George D. Harter Bank, petitioner, *v.* Richard Inglis. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 734. George D. Harter Bank, petitioner, *v.* Mary P. Charles. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 735. George D. Harter Bank, petitioner, *v.* Howard L. Dominigan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 736. George D. Harter Bank, petitioner, *v.* J. E. Brate. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 737. George D. Harter Bank, petitioner, *v.* Mrs. F. U. LeMay. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 742. Charles DeWitt, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 744. Mashie Berenson, petitioner, *v.* H. G. Vogel Company, Inc. Petition for a writ of certiorari to the Superior Court of Suffolk County, State of Massachusetts, denied.

No. 745. Patrick O'Donoghue, petitioner, *v.* Mary Jaeger. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 746. The Bank of the Philippine Islands, petitioner, *v.* Wenceslao Trinidad, Collector. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 747. Coast Steamship Company et al., petitioners, *v.* William S. Brady. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 748. Edgar P. Bledsoe, County Treasurer, etc., petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 749. National Surety Company, petitioner, *v.* Salt Lake County et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 752. The American Surety Company of New York, petitioner, *v.* The Springfield National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 755. Central of Georgia Railway Company, petitioner, *v.* Lillie May Davis, as Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 758. Meredith Hanna, Guardian of the Estate of Norris W. H. Haupt, a Minor, petitioner, *v.* The Pennsylvania Company for Insurance of Lives and Granting Annuities et al. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 759. National Transit Company, petitioner, *v.* James C. Davis, Director General of Railroads. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 140. Patrick Joyce, appellant, *v.* The United States of America. Appeal from the District Court of the United States for the Northern District of Ohio. Judgment reversed, on confession of error; and cause remanded for further proceedings, on motion of Mr. Solicitor General Mitchell for the appellee.

No. 85. George H. Kelly et al., copartners, etc., appellants, *v.* John W. Weeks, Secretary, et al. Dwight W. Davis, present Secretary of War, substituted as a party appellee herein, on motion of Mr. Eugene West in that behalf.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Complainant ordered to have record printed on or before January 1 next, and cause set for hearing on Monday, March 1 next, on motion of Mr. Clarence P. Mosier for the defendants.

In re: Disbarment of John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, and Walter Holland. Motion for the disbarment of John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, and Walter Holland submitted by Mr. John S. Flannery in behalf of the Grievance Committee of the Court of Appeals of the District of Columbia.

In re: Disbarment of Norman T. Whitaker. Motion for the disbarment of Norman T. Whitaker submitted by Mr. John S. Flannery in behalf of the Grievance Committee of the Court of Appeals of the District of Columbia.

No. 129. William H. Edwards, Collector, petitioner, *v.* Archibald Douglas et al., Executors. Leave granted to file a supplemental brief herein, on motion of Mr. Paul Armitage for the respondents, with leave to counsel for the petitioner to file a reply thereto.

No. 769. Joseph Wheless, petitioner, *v.* Andrew W. Mellon, Secretary, etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Joseph Wheless for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. William M. Offley for the respondents.

No. 738. New Orleans Public Belt Railroad, plaintiff in error, *v.* James Davis. Motion to dismiss submitted by Mr. W. L. Gleason for the defendant in error in support of the motion, and by Mr. Percy S. Benedict for the plaintiff in error in opposition thereto.

No. 760. Interstate Refineries, Inc., petitioner, *v.* Kaw Boiler Works Company. On petition for a writ of certiorari to the Supreme Court of the State of Kansas. Dismissed, on motion of counsel for the petitioner.

Adjourned until Monday, November 16 next, at 12 o'clock.

The day call for Monday, November 16, will be as follows: Nos. 91, 92, 156, 188, 256, 30 (and 477), 258, 249, 208, 224, 31, 273, and 337 (and 420).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ralph W. Rymer, of Scranton, Pa.; Max Ash, of New York City; Ralph Emmons Courtnage, of Great Falls, Mont.; Alexander Goodman, of Baltimore, Md.; J. R. Moore, of Archer City, Tex.; Edward C. Craig, of Chicago, Ill.; Lyman R. Critchfield, of Wooster, Ohio; Charles K. Walsh, of Wichita Falls, Tex.; Robert R. Jackson, of Atlanta, Ga.; B. W. Griffith, jr., of Tulsa, Okla.; and Monte Appel, of Washington, D. C., were admitted to practice.

No. 44. Concrete Appliances Company and William H. Insley, petitioners, *v.* John E. Gomery et al. On a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Eastern District of Pennsylvania. Opinion by Mr. Justice Stone.

No. 74. The State of Arkansas ex rel. J. S. Utley, Attorney General of the State of Arkansas, for the use and benefit of Craighead County, Arkansas, plaintiff in error, *v.* St. Louis-San Francisco Railway Company et al. In error to the Supreme Court of the State of Arkansas. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Stone.

No. 247. George H. Beazell, plaintiff in error, *v.* The State of Ohio et al.; and

No. 248. William H. Chatfield, jr., plaintiff in error, *v.* The State of Ohio. In error to the Supreme Court of the State of Ohio. Judgments affirmed with costs. Opinion by Mr. Justice Stone.

No. 58. John W. Stephenson et al., appellants, *v.* H. L. Kirtley et al. Appeal from the District Court of the United States for the Southern District of West Virginia. Decree affirmed with costs. Opinion by Mr. Justice Sanford.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Exceptions overruled. Report of commissioners confirmed. Cost of printing the evidence to be paid by defendant. All other expenses, including commissioners' compensation, to be divided

equally between the parties. Suggested form of decree may be submitted by the parties within forty days. Opinion by Mr. Justice Butler.

No. 38. Harry B. Stilz, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 54. Kansas City Structural Steel Company, plaintiff in error, *v.* The State of Arkansas for the use and benefit of Ashley County. In error to the Supreme Court of the State of Arkansas. Judgment affirmed with costs. Opinion by Mr. Justice Butler. Dissenting: Mr. Justice Stone.

No. 79. James C. Davis, Director General and Agent etc., petitioner, *v.* John L. Roper Lumber Company. On writ of certiorari to the Supreme Court of Appeals for the State of Virginia. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No. 331. Clarence A. Anderson *v.* James W. Clune. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. Question certified answered in the negative. Opinion by Mr. Justice Sutherland.

No. 59. Gulf Refining Company of Louisiana et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed in part and affirmed in part; and cause remanded to the District Court of the United States for the Western District of Louisiana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 60. Mrs. Lydia Hanszen McMullen et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed; and cause remanded to the District Court of the United States for the Western District of Louisiana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 41. Samuel Freshman, petitioner, *v.* W. S. Atkins. On a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the Northern District of Texas. Opinion by Mr. Justice Sutherland.

No. 11. Anna Woerishoffer et al., as Executrix and Executor etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 32. James C. Davis, Agent Provided for by the Transportation Act, 1920, petitioner, *v.* L. D. Alexander and Frank Griffith.

On writ of certiorari to the Supreme Court of the State of Oklahoma. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 34. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* Edwin W. Poe et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. Ordered that Frederick C. Hicks, present Alien Property Custodian, be substituted for Thomas W. Miller as a party appellant herein. Decree affirmed with costs; and cause remanded to the District Court of the United States for the District of Maryland. Opinion by Mr. Justice Brandeis.

No. 67. Burk-Waggoner Oil Association, plaintiff in error, *v.* George C. Hopkins, Collector of Internal Revenue, Second District of Texas. In Error to the District Court of the United States for the Northern District of Texas. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 68. Lipshitz & Cohen, a Partnership Composed of Berel S. Lipshitz and Morris Cohen, plaintiff in error, *v.* The United States of America. In Error to the District Court of the United States for the Northern District of Georgia. Judgment affirmed. Opinion by Mr. Justice McReynolds.

No. 254. Joseph P. Margolin, petitioner, *v.* The United States of America. On a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice McReynolds. (Mr. Justice Brandeis took no part in the consideration or decision of this cause.)

No. 184. Enrique del Pozo y Marcos et al., appellants, *v.* Wilson Cypress Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of Florida. Opinion by Mr. Justice Van Devanter.

No. 24. Western Union Telegraph Company, plaintiff in error, *v.* The State of Georgia, as Owner of Western & Atlantic Railroad and Nashville, Chattanooga & St. Louis Railway, as Lessee, etc. In error to the Supreme Court of the State of Georgia. Dismissed for the want of jurisdiction. Opinion by Mr. Justice Holmes.

No. 55. Old Dominion Land Company, plaintiff in error, *v.* The United States of America. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed; and cause remanded to the District Court of the United States for the Eastern District of West Virginia. Opinion by Mr. Justice Holmes.

No. 80. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Benjamin Guinness et al. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs; and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Holmes. (Mr. Justice Stone took no part in the consideration or decision of this cause.)

No. 81. Benjamin Guinness et al., petitioners, *v.* Frederick C. Hicks, as Alien Property Custodian, et al. In error to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs, as to interest; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Stone took no part in the consideration or decision of this cause.)

No. 185. Arthur E. Donegan, appellant, *v.* B. E. Dyson, as United States Marshal for the Southern District of Florida. Appeal from the District Court of the United States for the Southern District of Florida. Final order affirmed with costs; and mandate ordered to issue forthwith. Opinion by Mr. Chief Justice Taft.

No. 51. The Buckeye Coal and Railway Company et al., appellants, *v.* The Hocking Valley Railway Company et al. Appeal from the District Court of the United States for the Southern District of Ohio. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

In re: Disbarment of John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, Walter Holland, and Norman T. Whitaker. Rules ordered to issue requiring respondents to show cause before this court, within thirty days, why they should not be disbarred from further practice as attorneys and counsellors of this court.

No. 465. St. Paul & Tacoma Lumber Company, appellant, *v.* Northern Pacific Railway Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Per curiam: Dismissed for the want of jurisdiction, upon the authority of *Southern Pacific Ry. Co. v. Stewart*, 254 U. S. 359; *Barnett v. Kunkel*, 264 U. S. 16.

No. 807. John Scott Barker, petitioner, *v.* The United States of America. Motion for leave to proceed in forma pauperis and petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Eighth Circuit. *Per curiam*: Application for further proceeding herein in forma pauperis is denied, for the reason that the court, having examined the typewritten record and having found the petition for writ of certiorari without merit, hereby denies the same.

No. 15. Edgar S. Appleby et al., Executors etc., plaintiffs in error, *v.* The City of New York et al.; and

No. 16. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks of the City of New York. Cases restored to the docket for reargument, and assigned for Monday, January 25th next, after the cases heretofore assigned for that day.

No. 129. William H. Edwards, Collector, petitioner, *v.* Archibald Douglas et al., Executors. Motion for leave to file brief of George Wellwood Murray et al. herein as amici curiae, granted.

No. 580. Seward K. Lowe et al., petitioners, *v.* Alexander J. Dickson. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 459. Lucy Fisher, plaintiff in error, *v.* E. J. Crider. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 469. L. J. Schaub & Sons, Inc., petitioner, *v.* Tennessee Egg Company. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee denied.

No. 662. Empire Engineering Company, plaintiff in error, *v.* White, Gratwick & Mitchell, Inc. Petition for a writ of certiorari herein denied.

No. 728. Dr. B. W. Crabb, petitioner, *v.* Warren H. Kerby et al. Petition for a writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 754. S. L. Leatherman et al., petitioners, *v.* A. J. Mayse et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 769. Joseph Wheless, petitioner, *v.* Andrew W. Mellon, Secretary etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 107. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Solicitor General Mitchell in that behalf.

No. 120. Ephraim Lederer, Formerly Collector, *v.* Mary A. McGarvey, Executrix; and

No. 790. The United States of America *v.* John E. Zerbey et al. Motion to advance No. 790 for hearing with No. 120, and to assign the cases for argument on March 1st next submitted by Mr. Solicitor General Mitchell for Ephraim Lederer, Formerly Collector, and The United States of America.

No. 136. Thomas W. Miller, Alien Property Custodian, et al., appellants, *v.* George Arthur Clausen et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Frederick C. Hicks, present Alien Property Custodian, ordered substituted as a party appellant herein, on motion of Mr. Solicitor General Mitchell for the appellants. Dismissed, on motion of Mr. Solicitor General Mitchell for the appellants; and mandate granted.

No. 392. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* Adolf J. Becker. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Dismissed, on motion of Mr. Solicitor General Mitchell for the appellants; and mandate granted.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, Collector; and

No. 804. William H. Edwards, Collector, petitioner, *v.* New York Life Insurance Company. Motion to advance submitted by Mr. Solicitor General Mitchell in that behalf.

No. 129. William H. Edwards, Collector, petitioner, *v.* Archibald Douglas et al., Executors. Leave granted to file answer to brief of George Wellwood Murray et al., herein, as amici curiae, within five days, on motion of Mr. Solicitor General Mitchell for the petitioner.

No. 23, original. Ex parte In the matter of The State of Maryland, petitioner;

No. 24, original. Ex parte In the matter of The State of Maryland, petitioner; and

No. 25, original. Ex parte In the matter of The State of Maryland, petitioner. Return to rules to show cause filed; and cases assigned for argument on Monday, December 7, next.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER

The boundary commissioners having this day presented their third report showing further compliance with the decree of March 12, 1923, and particularly that they have run, located and marked upon the ground portions of the boundary line between the States of Texas and Oklahoma from the one hundredth meridian of longitude to the eastern limit of Lamar County, Texas, other than the Big Bend and

Fort Augur areas covered by two reports heretofore presented and confirmed;

It is ordered that the report be filed, and that the parties have thirty days from this date within which severally to present any objections which they may have to the report.

No. **221.** J. W. Patterson, doing business as J. W. Patterson Commission Company, et al., plaintiffs in error, *v.* Louisville & Nashville Railroad Company et al. Petition for rehearing to correct judgment, and motion to stay mandate, submitted by Mr. Raymond M. Hudson in that behalf.

No. **411.** The New York & Porto Rico Steamship Company, appellant, *v.* Rafael Cintron Lastra et al., etc. Motion to dismiss submitted by Mr. Archibald King for the appellees in support of the motion.

No. **102.** Rhederei M. Jebsen Company, appellant, *v.* The United States;

No. **103.** The Firm of M. Jebsen, etc., et al., appellants, *v.* The United States;

Nos. **108** and **109.** Hamburg-American Line Terminal & Navigation Company, appellant, *v.* The United States;

Nos. **110** and **111.** Atlas Line Steamship Company, appellant, *v.* The United States;

Nos. **112, 113** and **114.** North German Lloyd, appellant, *v.* The United States;

Nos. **116** and **117.** Hamburg-Amerikanische Paketfahrt Aktien-Gesellschaft (also known as Hamburg-American Line), appellant, *v.* The United States; and

No. **126.** Deutsch-Australische Dampfschiffs-Gesellschaft, appellant, *v.* The United States. Continued, per stipulation, on motion of Mr. Charles H. LeFevre in that behalf.

No. **683.** Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator; and

No. **684.** Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Fred A. Elder. Motion to dismiss or place on the summary docket submitted by Mr. H. T. Ronning in behalf of Mr. Tom Davis and Mr. Ernest A. Michel for the respondent in support of the motion, and by Mr. M. L. Bell, Mr. W. F. Dickinson, Mr. Thomas D. O'Brien, Mr. Edward S. Stringer, and Mr. Daniel Taylor for the petitioner in opposition thereto.

No. **739.** Mrs. Ida Hughes, plaintiff in error, *v.* The State of Georgia. Motion for leave to proceed in forma pauperis herein submitted by Mr. R. R. Jackson for the plaintiff in error; counsel to file, within thirty days, statement of grounds relied upon to show jurisdiction of this court.

No. —, original. The Commonwealth of Pennsylvania, complainant, *v.* The State of New Jersey et al. Motion for leave to file a bill of complaint herein submitted by Mr. George W. Woodruff and Mr. William A. Schnader for the complainant.

No. 183. Leonard Metcalf et al., Partners etc., plaintiffs in error, *v.* John J. Mitchell, Former Collector of Internal Revenue for the District of Massachusetts; and

No. 376. John J. Mitchell, Former Collector of Internal Revenue for the District of Massachusetts, plaintiff in error, *v.* Leonard Metcalf et al., Partners etc. Leave granted to file brief of Emma B. Brunner, as Executrix of the Estate of Arnold W. Brunner, deceased, as *amicus curiae*, on motion of Mr. Lewis M. Isaacs in that behalf.

No. 93. The United States, appellant, *v.* Lucia E. Blount, Administratrix etc. Leave granted to file a brief of Edmund L. Mooney herein as *amicus curiae*, on motion of Mr. E. W. Wilson in that behalf.

No. 93. The United States, appellant, *v.* Lucia E. Blount, Administratrix etc. Leave granted to file a brief of Elihu Root, Jr., herein as *amicus curiae*, on motion of Mr. Frederick L. Fishback in that behalf.

No. 762. Jacob Joseph Tutum *v.* The United States. Motion to advance submitted by Mr. James A. Cobb in behalf of counsel for Jacob Joseph Tutum.

No. 238. Durez Company, Inc., petitioner, *v.* Bakelite Corporation. Motion for leave to apply to the District Court of the United States for the Western District of New York to vacate the order complained of by petitioner submitted by Mr. C. H. Potter in behalf of Mr. Charles Neave for the respondent.

No. 337. The United States, appellant, *v.* P. Chauncey Anderson et al.; and

No. 420. The United States, appellant, *v.* The Yale & Towne Manufacturing Company. Leave granted to file brief of Worcester Pressed Steel Company herein as *amicus curiae*, on motion of Mr. Monte Appel in that behalf.

No. 162. General American Tank Car Corporation et al., appellants, *v.* Eudora S. Day, Sheriff. Motion to dismiss submitted by Mr. B. B. Pettus in behalf of Mr. Harry P. Sneed for the appellee in support of the motion, and by Mr. Edwin T. Merrick for the appellant in opposition thereto.

No. 356, October term, 1924. Cattina Sala, plaintiff in error, *v.* A. A. Crane et al. Leave granted to withdraw from the record in this case original land patent, marked "Exhibit A," upon filing a duplicate copy thereof with the clerk of this court, on motion of Mr. Dale D. Drain in that behalf.

No. 276. Hattie Rowe, plaintiff in error, *v.* Robert L. Sartain et al. Motion to dismiss submitted by Mr. B. W. Griffith, jr., Mr. C. B. Ames, Mr. John Ladner, Mr. E. T. Noble, and Mr. A. D. Cochran for the defendants in error in support of the motion, and by Mr. John Tomerling for the plaintiff in error in opposition thereto.

No. 764. Die Deutsche Bank Filiale Nurnberg, petitioner, *v.* Charles Franklin Humphrey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Amos J. Peaslee for the petitioner, and by Mr. William Grant for the respondent.

No. 768. Burnrite Coal Briquette Company, petitioner, *v.* Edward G. Riggs et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Robert H. McCarter for the petitioner, and by Mr. Merritt Lane for the respondent.

No. 771. Bunker Hill & Sullivan Mining and Concentrating Company et al., petitioners, *v.* Jacob Polak. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles W. Beals for the petitioners, and by Mr. Lawrence H. Brown for the respondent.

No. 772. Roxana Petroleum Corporation, petitioner, *v.* Robert Watchorn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Truman Post Young and Mr. John H. Carroll for the petitioner, and by Mr. George W. Morgan for the respondent.

No. 773. J. S. Bache & Company, petitioner, *v.* Thomas W. Hinds, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William Marshall Bullitt, Mr. Helm Bruce, and Mr. Henry Woolman for the petitioner, and by Mr. Colin C. H. Fyffe and Mr. William W. Spalding for the respondents.

No. 774. New York Dock Company, petitioner, *v.* Steamship *Poznan*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach and Mr. Charles H. Tuttle for the petitioner, and by Mr. George Whitefield Betts, jr., and Mr. Mark W. McClay for the respondent.

No. 775. Brunswick-Balke-Collender Company et al., petitioners, *v.* Victor Talking Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Melville Church and Mr. George W. Case, jr., for the petitioner, and by Mr. Charles E. Hughes, Mr. William Houston Kenyon, and Mr. William Clarke Mason for the respondent.

No. 777. Cornelius Anderson, suing on behalf of himself, etc., petitioner, *v.* Shipowners Association of the Pacific Coast, their members etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. W. Hutton for the petitioner, and by Mr. Frederick Clayton Peterson for the respondent.

No. 778. The State Industrial Board of the State of New York, petitioner, *v.* Terry & Tench Company, Inc., et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Albert Ottinger for the petitioner.

No. 779. Banner Milling Company, petitioner, *v.* The State of New York. Petition for a writ of certiorari to the Court of Claims of the State of New York submitted by Mr. Henry W. Hill for the petitioner, and by Mr. Albert Ottinger for the respondent.

No. 780. Meyer E. Kaplan et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Jacob J. Podell for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 781. Swift & Company, petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Albert H. Veeder, Mr. Henry Veeder, and Mr. James M. Sheean for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Adrian F. Busick for the respondent.

No. 783. American Railway Express Company et al., petitioners, *v.* Jacob Kriger. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee submitted by Mr. Clinton H. McKay, Mr. Charles M. Burch, Mr. H. D. Minor, Mr. H. S. Marx, and Mr. A. M. Hartung for the respondent.

No. 784. Passaic Valley Sewerage Commissioners, petitioner, *v.* Holbrook, Cabot & Rollins Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. John W. Davis and Mr. Frederic M. P. Pearse for the petitioner, and by Mr. John W. Griggs, Mr. John W. Harding, Mr. Thomas F. Conway, Mr. Joseph A. Kellogg, and Mr. Thomas E. O'Brien for the respondent.

No. 800. The United States Sugar Equalization Board, Inc., petitioner, *v.* P. DeRonde & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. William A. Glasgow, jr., and Mr. Charles F. Curley for the petitioner, and by Mr. Robert H. Richards and Mr. Joseph M. Hartfield for the respondent.

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. Dean Hill Stanley for the petitioner.

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. Dean Hill Stanley for the petitioner.

Nos. 296, 297, and 298. The United States of America, appellant, *v.* Arthur L. Backman, Master etc. Motion to dismiss submitted by Mr. William H. Lewis and Mr. Matthew L. McGrath for the appellee in support of the motion, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the appellee in opposition thereto.

No. 562. Alexander Sedgwick, plaintiff in error, *v.* Thomas E. Wing, Trustee. Motion to dismiss submitted by Mr. Philip W. Russell and Mr. Burt D. Whedon for the defendant in error in support of the motion, and by Mr. Hector M. Hitchings and Mr. Hugh W. Ogden for the plaintiff in error in opposition thereto.

No. 8. Harry Glassman, petitioner, *v.* Robert C. Rand, Temporary Receiver, etc. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed for want of prosecution.

No. 13. Riley Smith, plaintiff in error, *v.* The State of Nebraska. In error to the Supreme Court of the State of Nebraska. Dismissed for want of prosecution.

No. 14. Ray A. Lower, plaintiff in error, *v.* The State of Nebraska. In error to the Supreme Court of the State of Nebraska. Dismissed for want of prosecution.

No. 15, original. The State of Arkansas, complainant, *v.* The State of Mississippi. Bill of complaint dismissed, on motion of counsel for the complainant.

No. 91. The United States, appellant, *v.* St. Louis, San Francisco & Texas Railway Company; and

No. 92. The United States, appellant, *v.* Wabash Railway Company. Argument commenced by Mr. Blackburn Esterline for the appellant, continued by Mr. Lawrence H. Cake for the appellee in No. 91, and concluded by Mr. F. Carter Pope for the appellee in No. 92.

No. 156. American Steel Foundries *v.* Thomas E. Robertson, Commissioner of Patents, and Simplex Electric Heating Company. Argument commenced by Mr. George L. Wilkinson for American Steel Foundries, and continued by Mr. Nathan Hurd for Simplex Electric Heating Company.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 17, will be as follows: 156, 188, 256, 30 (and 477), 258, 249, 208, 224, 31, 273, and 337 (and 420).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

William Bell Tippetts, of St. Petersburg, Fla.; Thomas Harold Greene, of Washington, D. C.; Edward Francis McMahon, of Des Moines, Iowa; Duane Richardson Dills, of Pelham, N. Y.; and R. M. F. Soto, of San Francisco, Calif., were admitted to practice.

No. 803. American Feature Film Company, appellant, *v.* John H. Trumbull, Governor of the State of Connecticut, et al. Appeal from the District Court of the United States for the District of Connecticut. Dismissed, per stipulation.

No. 156. American Steel Foundries *v.* Thomas E. Robertson, Commissioner of Patents, et al. Argument continued by Mr. Nathan Heard for Simplex Electric Heating Company and concluded by Mr. George L. Wilkinson for American Steel Foundries.

No. 188. H. P. Trusler, plaintiff in error, *v.* Noah Crooks et al. Argued by Mr. E. R. Morrison for the plaintiff in error; and cause submitted by Mr. Solicitor General Mitchell and Mr. Robert P. Reeder for the defendant in error.

No. 256. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Argument commenced by Mr. William R. Watkins for the appellants, continued by Mr. John H. Moore for the appellees, and concluded by Mr. C. K. Walsh for the appellant.

No. 30. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky; and

No. 477. American Railway Express Company, petitioner, *v.* F. S. Royster Guano Company. Argument commenced by Mr. Branch P. Kerfoot for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 18, will be as follows: Nos. **30** (and **477**), **258**, **249**, **208**, **224**, **31**, **273**, and **337** (and **420**).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John W. Creekmur, of Chicago, Ill.; Fred W. Dodson, of Washington, D. C.; William V. Daly, of Chicago, Ill.; and Edward Lid-don Patterson, of New York City, were admitted to practice.

No. 30. American Railway Express Company, petitioner, *v.* The Commonwealth of Kentucky; and

No. 477. America Railway Express Company, petitioner, *v.* F. S. Royster Guano Company. Argument continued by Mr. Cadwallader J. Collins for the respondent in No. 477, and concluded by Mr. Branch P. Kerfoot for the petitioner.

No. 258. George D. Provost et al., Copartners, etc., appellants, *v.* The United States. Argued by Mr. Charles E. Hughes for the appellants, and by Mr. Alfred A. Wheat for the appellee.

No. 249. Henderson Water Company, appellant, *v.* The Corporation Commission of the State of North Carolina et al. Argument commenced by Mr. J. H. Bridgers for the appellant. The court declined to hear further argument.

No. 208. The United States of America *v.* Jose Candelaria et al. Argument commenced by Mr. H. L. Underwood for the United States, and continued by Mr. Frank W. Clancy for Jose Candelaria et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, November 19, will be as follows: Nos. 208, 224, 31, 273, and 337 (and 420).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Hyman Maurice Goldstein, of Washington, D. C.; J. Albert Toler, of Mulleus, W. Va.; Elgin H. Blalock, of Port Arthur, Tex.; and Harry R. Wilson, of Clarion, Pa., were admitted to practice.

No. 208. The United States of America *v.* Jose Candelaria et al. Argument concluded by Mr. Frank W. Clancy for Jose Candelaria et al.

No. 224. William O'Hara et al., petitioners, *v.* Luckenbach Steamship Company. Argued by Mr. H. W. Hutton for the petitioner, and by Mr. Peter S. Carter for the respondent.

No. 31. Eastman Kodak Company of New York, plaintiff in error, *v.* Southern Photo Materials Company. Argued by Mr. John W. Davis for the plaintiff in error, and by Mr. Daniel McDougald for the defendant in error.

No. 273. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* The United States of America. Argument commenced by Mr. Edward C. Craig for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, November 20, will be as follows: Nos. 273 and 337 (and 420).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

No. **611**. Port Gardner Investment Company *v.* The United States of America. Reassigned for hearing with No. **473**, as one case, on December 7 next, on motion of Mr. Solicitor General Mitchell for The United States.

No. **273**. The Atchison, Topeka & Santa Fe Railway Company, petitioner, *v.* The United States of America. Argument continued by Mr. Edward C. Craig for the petitioner, by Mr. Blackburn Esterline for the respondent, and concluded by Mr. Edward C. Craig for the petitioner.

No. **337**. The United States, appellant, *v.* P. Chauncey Anderson et al; and

No. **420**. The United States, appellant, *v.* The Yale & Towne Manufacturing Company. Argument commenced by Mr. Solicitor General Mitchell for the appellant, continued by Mr. John W. Davis for the appellees in No. **337**, and concluded by Mr. Louis H. Porter for the appellee in No. **420**.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 23, will be as follows: Nos. **192** (and **503**, **454** and **496**), **181**, **4**, **288** (and **289**), **246**, **13** Original, and **328** (and **329**).

SUPREME COURT OF THE UNITED STATES.

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Cornelius H. Bull, of Washington, D. C.; Jacob Levy, of Chicago, Ill.; H. McClure Johnson, of Chicago, Ill.; James C. Waters, jr., of Washington, D. C.; A. Arthur Jenkins, of New York City; Thomas F. Baughman, of Washington, D. C.; Alva D. Adams, of Washington, D. C.; Joseph J. Daniels, of Indianapolis, Ind.; Charles M. Thorp, of Pittsburgh, Pa.; Charles F. Miller, jr., of Washington, D. C.; Karl E. Burr, of Columbus, Ohio; Malcolm W. McKenzie, of Oklahoma City, Okla.; and Roscoe C. Nelson, of Portland, Oreg., were admitted to practice.

No. 5. Hubert Work, Secretary of the Interior, appellant, *v.* The State of Louisiana. Appeal from the Court of Appeals of the District of Columbia. Decree modified and affirmed with costs. Opinion by Mr. Justice Sanford.

No. 33. The State of New York on the relation of the Woodhaven Gas Light Company, plaintiff in error, *v.* The Public Service Commission of the State of New York. In error to the Supreme Court of the State of New York. Motion to dismiss denied. Judgment affirmed with costs. Opinion by Mr. Justice Butler.

No. 25. Louisville & Nashville Railroad Company, plaintiff in error, *v.* Sloss-Sheffield Steel & Iron Company. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds and Mr. Justice Stone.

No. 129. William H. Edwards, Collector of Internal Revenue, petitioner, *v.* Archibald Douglas et al. On a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice

Van Devanter, Mr. Justice McReynolds, Mr. Justice Sutherland, and Mr. Justice Butler.

No. 29. The United States, appellant, *v.* Boston Insurance Company. Appeal from the Court of Claims. Judgment reversed; and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 37. Central Union Telephone Company, plaintiff in error, *v.* The City of Edwardsville, Illinois. In error to the Supreme Court of the State of Illinois. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Taft.

No. 42. Southern Electric Company, plaintiff in error, *v.* James A. Beha, Jr., Superintendent of Insurance of the State of New York, etc. In error to the Supreme Court of the State of New York. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 790. The United States of America *v.* John E. Zerbey et al. Motion to advance granted; and cause assigned for argument with No. 120, on the regular docket, to be heard when No. 120 is reached.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, Collector. Motion to advance granted; and cause assigned for argument on Monday, March 1, next, after the case heretofore assigned for that day.

No. 762. Jacob Joseph Tutum *v.* The United States of America. Motion to advance granted; and cause assigned for argument on Monday, March 1 next, after the case heretofore assigned for that day.

No. 738. New Orleans Public Belt Railroad, plaintiff in error, *v.* James Davis. In error to the Supreme Court of the State of Louisiana. Dismissed for the want of jurisdiction upon the authority of *Central Land Co. v. Laidley*, 159 U. S. 103, 112; *Tracy v. Ginzberg*, 205 U. S. 170, 178; *Bonner v. Gorman*, 213 U. S. 86, 91; *Milwaukee Electric Ry. Co. v. Milwaukee*, 253 U. S. 100, 106.

No. 411. The New York & Porto Rico Steamship Company, appellant, *v.* Rafael Cintron Lastra, et al., etc. Appeal from the United States Circuit Court of Appeals for the First Circuit. Dismissed for the want of jurisdiction upon the authority of *El Banco Popular De Economias y Prestamos de San Juan, P. R., v. Wilcox*, 255 U. S. 72.

No. 276. Hattie Rowe, plaintiff in error, *v.* Robert L. Sartain et al. In error to the Supreme Court of the State of Oklahoma. Dismissed for the want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 162. General American Tank Car Corporation et al., appellants, *v.* Robert S. Day, Sheriff. Further consideration of the motion to dismiss postponed until the hearing of the cause on the merits.

No. 296. The United States of America, appellant, *v.* Arthur L. Backman, Master, etc.;

No. 297. The United States of America, appellant, *v.* Arthur L. Backman, Master, etc.; and

No. 298. The United States of America, appellant, *v.* Arthur L. Backman, Master, etc. Further consideration of the motion to dismiss postponed until the hearing of the cases on the merits.

No. —, original. The Commonwealth of Pennsylvania, complainant, *v.* The State of New Jersey. Motion for leave to file a bill of complaint herein granted; and process ordered to issue returnable on Monday, January 25 next.

No. 238. Durez Company, petitioner, *v.* Bakelite Corporation. Motion for leave to apply to the District Court to vacate the order complained of by petitioner herein granted.

No. 764. Die Deutsche Bank Filiale Nurnberg, petitioner, *v.* Charles Franklin Humphrey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 768. Burnrite Coal Briquette Company, petitioner, *v.* Edward G. Riggs et al., Receivers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 774. New York Dock Company, petitioner, *v.* Steamship *Poznan*, Her Engines, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 761. Victor Talking Machine Company, petitioner, *v.* Brunswick-Balke-Collender Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 778. The State Industrial Board of the State of New York, petitioner, *v.* Terry and Tench Company, Inc., et al. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 781. Swift & Company, petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 783. American Railway Express Company et al., petitioners, *v.* Jacob Kriger. Petition for a writ of certiorari to the Supreme Court of the State of Tennessee granted.

No. 800. United States Sugar Equalization Board, Inc., petitioner, *v.* P. DeRonde & Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 771. Bunker Hill & Sullivan Mining and Concentrating Company et al., petitioners, *v.* Jacob Polak. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 772. Roxana Petroleum Corporation, petitioner, *v.* Robert Watchorn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 773. J. S. Bache & Company, petitioner, *v.* Thos. W. Hinde et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 775. Brunswick-Balke-Collender Company, petitioner, *v.* Victor Talking Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 777. Cornelius Anderson, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 779. Banner Milling Company, petitioner, *v.* The State of New York. Petition for a writ of certiorari to the Court of Claims of the State of New York denied.

No. 780. Meyer E. Kaplan et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 784. Passaic Valley Sewerage Commissioners, petitioner, *v.* Holbrook, Cabot & Rollins Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 503. The United States of America, petitioner, *v.* Butterworth-Judson Corporation. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. George A. King for Mr. William M. Chadbourne.

No. 366. The State of Missouri at the relation of and to the use of Wabash Railway Company et al., plaintiffs in error, *v.* Public Service Commission of Missouri et al. Motion to advance submitted by Richard L. Merrick for the defendants in error; with leave to Mr. Frederic D. McKenney for the Wabash Railway Company to file a brief in opposition thereto on or before Friday next.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Motion to advance submitted by Mr. Don F. Reed for the appellant.

No. —, original. *Ex parte* In the matter of Marcus Gruber, petitioner. Motion for leave to file a petition for a writ of mandamus herein submitted by Mr. A. Rae Williams for the petitioner.

No. 192. Frank C. Bramwell, Superintendent of the Bank of the State of Oregon, appellant, *v.* United States Fidelity & Guaranty Company. Leave granted to file a brief herein as *amicus curiae*, on motion of Mr. T. D. McKeown for the banking department of the State of Oklahoma.

No. 789. International Stevedoring Company, petitioner, *v.* R. Haverty. Petition for a writ of certiorari to the Supreme Court of the State of Washington submitted by Mr. Stephen V. Carey for the petitioner.

No. 792. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Nellie Kidd, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Luther Burns, Mr. Henry S. Conrad, Mr. M. L. Bell, and Mr. W. F. Dickinson for the petitioner, and by Mr. Platt Hubbell for the respondent.

No. 793. John Russo, alias Massimino Pissanello, petitioner, *v.* The People of the State of New York. Petition for a writ of certiorari to the Court of Appeals of the State of New York submitted by Mr. Thomas E. Nolan for the petitioner, and by Mr. Joab H. Banton and Mr. Felix C. Benvenga for the respondent.

No. 796. Fred L. Kriebel, petitioner *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Weymouth Kirkland and Mr. Robert N. Golding for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 797. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* The City of Tacoma. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. O. W. Dynes and Mr. George W. Korte for the petitioner.

No. 802. United States Fidelity & Guaranty Company, petitioner, *v.* Worthington & Company, a partnership, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph A. McCullough for the petitioner, and by Mr. Augustus Benner for the respondent.

No. 804. William H. Edwards, Collector, petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the petitioner.

No. 454. Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America. Submitted by Mr. Godfrey Goldmark for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Jerome Michael, and Mr. Henry Gale for the respondent.

No. 496. Frank E. Stripe et al., Receivers, petitioners, *v.* The United States of America. Submitted by Mr. Ben A. Matthews and Mr. Harold Harper for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Jerome Michael, and Mr. Henry Gale for the respondent.

No. 192. Frank C. Bramwell, Superintendent of the Bank of the State of Oregon, appellant, *v.* United States Fidelity & Guaranty Company; and

No. 503. The United States of America, petitioner, *v.* Butterworth-Judson Corporation. Three hours allowed for the argument of these cases. Argument commenced by Mr. J. P. Kavanaugh for the appellant in No. 192, continued by Mr. Roscoe C. Nelson and Mr. C. B. Ames for the appellee in No. 192; by Mr. J. P. Kavanaugh for the appellant in No. 192; and by Mr. William Marshall Bullitt for the petitioner in No. 503; and concluded by H. G. Pickering for the respondent in No. 503.

No. 181. Frank A. Harrigan, Trustee, etc., petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. Argument commenced by Mr. F. A. Harrigan for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, November 24, will be as follows: Nos. 181, 4, 288 (and 289), 246, 242, 13 Original, and 328 (and 329).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Richard B. Keech, of Washington, D. C.; Morris D. Canter, of West Palm Beach, Fla.; Harry F. Mela, of New York City; Philip F. Dodson, of Los Angeles, Calif.; Antony A. Wolfe, of Tampa, Fla.; and Henderson Stockton, of Phoenix, Ariz., were admitted to practice.

No. 120. Ephraim Lederer, Formerly Collector, etc., v. Mary A. McGarvey, Executrix, etc.; and

No. 790. The United States of America v. John E. Zerbey et al. The order heretofore entered on November 23d last advancing No. 790 for argument with No. 120 when the latter case is reached in regular call of the docket is hereby vacated and it is now here ordered by this Court that these cases be, and the same are hereby, consolidated and assigned for argument as one case on Monday, March 1st, after the cases heretofore assigned for that day.

No. 181. Frank A. Harrigan, Trustee of the Bankrupt Estate of The Luis J. Bergdoll Motor Company, petitioner, v. Louis J. Bergdoll, now known as Louis J. Bergson. Argument continued by Mr. F. A. Harrigan for the petitioner, and concluded by Mr. W. B. Gibbons for the respondent.

No. 4. The Federal Trade Commission et al., appellants, v. Claire Furnace Company et al. Reargued by Mr. Solicitor General Mitchell for the appellants, and by Mr. Paul D. Cravath for the appellees.

No. 288. The United States, appellant, v. Swift & Company; and

No. 289. Swift & Company, appellant, v. The United States. Submitted by Mr. Solicitor General Mitchell, Mr. Assistant to the Attorney General Donovan, Mr. Abram F. Myers, and Mr. Rush H. Williamson for the United States, and by Mr. G. Carroll Todd, Mr. Albert H. Veeder, Mr. Henry Veeder, Mr. R. C. McManus,

Mr. Connor B. Shaw, and Mr. P. L. Holden, for Swift & Company; with leave to Mr. G. Carroll Todd to file additional brief within three days.

No. **246**. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. Argued by Mr. Warren Gregory for the petitioner, and by Mr. John Rustgard for the respondent.

No. **242**. The Pascagoula National Bank of Moss Point and Pascagoula, Mississippi, appellant, *v.* The Federal Reserve Bank of Atlanta et al. Argument commenced by Mr. Alex. W. Smith, jr., for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, November 25, will be as follows: Nos. **242**, **13** original, and **328** (and **329**).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Frank J. Goebel, of Indianapolis, Ind.; Alonzo C. Wheeler, of Gainesville, Ga.; Dan Moody, of Taylor, Tex.; Oscar J. Lilly, of Gainesville, Ga.; and Cleland Richardson Neal, of New York City, were admitted to practice.

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company; and

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Advanced and assigned to be heard with Nos. 423 to 445 assigned for Monday, November 30 next, without enlargement of time.

No. 242. The Pascagoula National Bank of Moss Point and Pascagoula, Mississippi, appellant, *v.* The Federal Reserve Bank of Atlanta et al. Argument continued by Mr. Alexander W. Smith, jr., for the appellant. The court declined to hear further argument.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener. Argument commenced by Mr. Thomas W. Gregory for the defendant, The State of Texas (on the counterclaim), continued by Mr. S. P. Freeling for the complainant, the State of Oklahoma, by Mr. W. W. Dyar for the intervener, the United States, and concluded by Mr. R. H. Ward for the defendant, the State of Texas.

Nos. 328 and 329. Cincinnati, Indianapolis & Western Railroad Company, appellant, *v.* Indianapolis Union Railway Company et al. Argued by Mr. Murray Seasongood for the appellant, and by Mr. Joseph S. Graydon and Mr. J. J. Daniels for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, November 30, will be as follows: Nos. 183 (and 376), 320, 314, 365, 303, 423 (to 445 and 809 and 810), 417, 76, and 36 (and 398, 399, 400, 499, 500, 401, 402, 403, and 404).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

F. O. Richey, of Cleveland, Ohio; W. N. Whitaker, of Chattanooga, Tenn.; Benjamin H. Marbury, of Farmington, Mo.; William W. Goodman, of Memphis, Tenn.; James M. Ogden, of Indianapolis, Ind.; J. Francis O'Sullivan, of Kansas City, Mo.; Joseph H. Brady, of Kansas City, Kans.; Patrick W. Croker, of Kansas City, Kans.; S. J. Jones, of Carrollton, Mo.; Arthur Mag, of Kansas City, Mo.; William A. Franken, of Carrollton, Mo.; and John J. Cunneen, of New York City, were admitted to practice.

No. 273. The Atchison, Topeka and Santa Fe Railway Company, appellant, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed; and cause remanded to the District Court of the United States for the Northern District of Illinois for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 39. Marianna Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer of Hamilton County, Ohio; and

No. 40. Mortimer Matthews, plaintiff in error, *v.* Louis J. Huwe, as Treasurer of Hamilton County, Ohio. In error to the Court of Appeals for the First Judicial District of the State of Ohio. Dismissed for the want of jurisdiction. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the Court:

No. 366. The State of Missouri at the relation of and to the use of Wabash Railway Company et al., plaintiffs in error, *v.* Public Service Commission of Missouri et al. Motion to advance denied.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Motion to advance granted; and cause assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

No. 789. International Stevedoring Company, petitioner, *v.* R. Haverty. Petition for a writ of certiorari to the Supreme Court of the State of Washington granted.

No. 804. William H. Edwards, Collector, petitioner, *v.* New York Life Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted, and cause assigned for argument with No. 712, heretofore assigned for March 1, as one case.

No. 792. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Nellie Kidd, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 796. Fred L. Kriebel, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 797. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* The City of Tacoma. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 802. The United States Fidelity & Guaranty Company, petitioner, *v.* Worthington & Company, a Partnership, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 242. The Pascagoula National Bank of Moss Point and Pasca-goula, Mississippi, appellant, *v.* The Federal Reserve Bank of Atlanta et al. Appeal from the District Court of the United States for Northern District of Georgia. Per curiam: Transferred to the United States Circuit Court of Appeals for the Fifth Circuit, upon the authority of the act of September 6, 1916, c. 448, sec. 3, 39 Stat. 727, and section 238 of the Judicial Code as amended by section 238 (a), act of September 14, 1922, c. 305, 42 Stat. 837; act of February 13, 1925; sec. 14; *Heitler v. The United States*, 260 U. S. 438.

No. 631. Munich Reinsurance Company, appellant, *v.* First Reinsurance Company of Hartford. Motion to dismiss submitted by Mr. Charles Wells Gross and Mr. Lucius F. Robinson for the appellee in support of the motion, and by Mr. John J. Cunneen in opposition thereto.

No. 631. Munich Reinsurance Company, appellant, *v.* First Reinsurance Company of Hartford. Motion for leave to withdraw the appearance of Hartwell Cabell, and to substitute John J. Cunneen as counsel for the appellant, submitted by Mr. John J. Cunneen in that behalf, and motion granted.

No. 361. Clarence H. Myers *v.* Hurley Motor Company, Inc. Motion to bring up the entire record herein submitted by Mr. George P. Lemm for Clarence H. Myers.

No. 188. H. P. Trusler, plaintiff in error, *v.* Noah Crooks et al. Motion for leave to file a brief herein as amicus curiae submitted by Mr. William T. Chantland for Little, Powell, Smith & Goldstein; and motion denied.

No. —, original. Ex parte In the matter of James A. Wood, petitioner. Motion for leave to file a petition for a writ of habeas corpus, and for leave to proceed in forma pauperis, herein, submitted by Mr. John A. Savage for the petitioner.

No. 791. Luther Weedon, Commissioner of Immigration, petitioner, *v.* Chin Bow. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Solicitor General Mitchell and Mr. Oscar R. Luhring for the petitioner, and by Mr. A. Warner Parker for the respondent.

No. 794. The Farmers Loan & Trust Company, etc., petitioner, *v.* Frederick C. Hicks, Alien Property Custodian, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward H. Blanc for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. Dean Hill Stanley for the respondents.

No. 795. The Farmers Loan & Trust Company, etc., petitioner, *v.* Frederick C. Hicks, Alien Property Custodian, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Edward H. Blanc for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. Dean Hill Stanley for the respondent.

No. 798. Henry Pommery, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. David D. Stansbury and Mr. Thomas H. Mahony for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 799. John A. Murphy, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States

Circuit Court of Appeals for the First Circuit submitted by Mr. Myer Nussbaum for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. **681**. The State of Ohio ex rel. Joseph Hanson, plaintiff in error, *v.* James W. Caldwell, Receiver, et al. In error to the Court of Appeals for the Sixth Appellate District of the State of Ohio. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. **183**. Leonard Metcalf et al., Copartners, etc., plaintiff in error, *v.* John J. Mitchell, Former Collector; and

No. **376**. John J. Mitchell, Former Collector, plaintiff in error, *v.* Leonard Metcalf et al., Copartners, etc. Death of John J. Mitchell suggested, and Maria E. Mitchell, as administratrix of the estate of said John J. Mitchell, deceased, ordered substituted as the party plaintiff in error in No. **376**, on motion of Mr. Philip Nichols in that behalf. Argued by Mr. Philip Nichols for Leonard Metcalf et al., copartners, etc., and by Mr. Assistant Attorney General Letts for Maria E. Mitchell, as administratrix, etc.

No. **320**. H. Ely Goldsmith, Certified Public Accountant of the State of New York, plaintiff in error, *v.* United States Board of Tax Appeals. Argument commenced by Mr. H. Ely Goldsmith, pro se. The court declined to hear further argument.

No. **314**. Claude C. Connally, Commissioner of Labor of the State of Oklahoma, et al., appellants, *v.* General Construction Company. Argument commenced by Mr. George F. Short for the appellants, and continued by Mr. J. D. Lydick for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, December 1, will be as follows: Nos. **314, 365, 303, 423** (to **445**, and **809** and **810**), **417, 76, 36** (and **398, 399, 400, 499, 500, 401, 402, 403**, and **404**).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Alfred L. Tennyson, of Washington, D. C.; A. L. Nash, of Manitowoc, Wis.; William B. Lymer, of Honolulu, Hawaii; Oliver P. Soares, of Honolulu, Hawaii; and Charles M. Hite, of Honolulu, Hawaii, were admitted to practice.

No. 314. Claude C. Connally, Commissioner of Labor of the State of Oklahoma, et al., appellants, *v.* General Construction Company. Argument continued by Mr. J. D. Lydick for the appellee, and concluded by Mr. J. Berry King for the appellants.

No. 365. Dr. A. W. Boyd, petitioner, *v.* The United States of America. Argued by Mr. Sam E. Whitaker for the petitioner, and by Mr. Assistant Attorney General Donovan for the respondent.

No. 303. The United States of America, petitioner, *v.* James Daugherty. Argued by Mr. Assistant Attorney General Donovan for the petitioner, and by Mr. A. P. Nugent for the respondent.

No. 423. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 424. The United States of America, appellant, *v.* Securities Corporation General;

No. 425. Frank White, as Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 426. The United States of America, appellant, *v.* Middleton S. Borland, Trustee;

No. 427. Frank White, as Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee;

No. 428. The United States of America, appellant, *v.* C. I. Stralem et al.;

No. 429. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem et al.;

No. 430. The United States of America, appellant, *v.* The Equitable Trust Company of New York;

No. 431. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 432. The United States of America, appellant, *v.* American National Bank of St. Paul;

No. 433. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 434. The United States of America, appellant, *v.* Henry G. Hilken;

No. 434. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 435. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 436. The United States of America, appellant, *v.* Abraham L. Garbat;

No. 437. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 438. The United States of America, appellant, *v.* Anna Thalmann;

No. 439. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 440. The United States of America, appellant, *v.* Republic Trading Company;

No. 441. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 442. The United States of America, appellant, *v.* Jacob Kaufman;

No. 443. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman;

No. 444. The United States of America, appellant, *v.* August Hecksher;

No. 445. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher;

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company; and

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Argument commenced by Mr. Dean Hill Stanley for the appellants and petitioners.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 2, will be as follows: Nos. 423 (to 445, and 809 and 810), 417, 76, and 36 (and 398, 399, 400, 499, 500, 401, 402, 403, and 404).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Gordon Garland Lydell, of Jackson, Miss., and Winthrop Williams Aldrich, of New York City, were admitted to practice.

No. 423. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 424. The United States of America, appellant, *v.* Securities Corporation General;

No. 425. Frank White, as Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 426. The United States of America, appellant, *v.* Middleton S. Borland, Trustee;

No. 427. Frank White, as Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee;

No. 428. The United States of America, appellant, *v.* C. I. Stralem et al.;

No. 429. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem et al.;

No. 430. The United States of America, appellant, *v.* The Equitable Trust Company of New York;

No. 431. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 432. The United States of America, appellant, *v.* American National Bank of St. Paul;

No. 433. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 434. The United States of America, appellant, *v.* Henry G. Hilken;

No. 435. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 436. The United States of America, appellant, *v.* Abraham L. Garbat;

No. 437. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 438. The United States of America, appellant, *v.* Anna Thalmann;

No. 439. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 440. The United States of America, appellant, *v.* Republic Trading Company;

No. 441. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 442. The United States of America, appellant, *v.* Jacob Kaufman;

No. 443. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman;

No. 444. The United States of America, appellant, *v.* August Hecksher;

No. 445. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher;

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company; and

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Argument continued by Mr. Dean Hill Stanley for the appellants and petitioners, by Mr. M. Carter Hall for the appellees in Nos. 423 to 445, inclusive, by Mr. Samuel W. Fordyce for the respondent in Nos. 809 and 810, by Mr. Frederic D. McKenney for the appellees in Nos. 430 and 431, and concluded by Mr. Dean Hill Stanley for the appellants and petitioners.

No. 417. The Texas & Pacific Railway Company, appellant, *v.* Gulf, Colorado & Santa Fe Railway Company. Argument commenced by Mr. T. D. Gresham for the appellant, and continued by Mr. J. W. Terry for the appellee, and concluded by Mr. Thomas J. Freeman for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 3, will be as follows: Nos. 76 and 36 (and 398, 399, 400, 499, 500, 401, 402, 403, and 404).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Robert E. Hogan, of Chicago, Ill., was admitted to practice.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Stipulation to open, file, and publish Report of Special Master and testimony herein granted, on motion of Mr. H. L. Ekern in that behalf.

No. 76. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Boneau. Argued by Mr. J. E. Palmer for the petitioner and by Mr. Samuel A. Anderson for the respondent.

No. 36. Pere Marquette Railway Company, appellant, *v.* The United States. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Benjamin Carter in that behalf.

No. 36. Pere Marquette Railway Company, appellant, *v.* The United States;

No. 398. The United States, appellant, *v.* The New York, New Haven & Hartford Railroad Company;

No. 399. The United States, appellant, *v.* Central New England Railway Company;

No. 400. The United States, appellant, *v.* The New England Steamship Company;

No. 499. The United States, appellant, *v.* Baltimore & Ohio Railroad Company;

No. 500. The United States, appellant, *v.* Baltimore & Ohio Railroad Company;

No. 401. The United States, appellant, *v.* Reading Company;

No. 402. Reading Company, appellant, *v.* The United States;

No. 403. The United States, appellant, *v.* Southern Railway Company; and

No. 404. The United States, appellant, *v.* St. Louis, Brownsville & Mexico Railway Company. Argument commenced by Mr. J. Harry Covington for the appellant in No. 36 and appellees in Nos. 401, 403, and 404; continued by Mr. Blackburn Esterline for the United States in Nos. 36, 401, 402, 403, and 404; by Mr. J. Harry Covington for the appellant in No. 36, the appellees in Nos. 401, 403, and 404; submitted by Mr. L. T. Michener for the appellee in No. 401 and the appellant in No. 402; argument continued by Mr. Blackburn Esterline for the United States in Nos. 398, 399, 400, 499, and 500; by Mr. B. D. Winner for the appellees in Nos. 398, 399, and 400; and concluded by Mr. J. F. McCarron for the appellee in Nos. 499 and 501.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, December 7, will be as follows: Nos. 493, 388 (and 389, 390, 391, 336, 355, and 471), 473 (and 611), 512, and 510.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Fred B. Snyder, of Minneapolis, Minn.; Frank H. Mason, of New York City; Edward C. Gale, of Minneapolis, Minn.; Jesse Fine, of Baltimore, Md.; H. Mortimer Kremer, of Baltimore, Md.; Arden Howell, of Richmond, Va.; Archibald Broomfield, of Detroit, Mich.; Martin J. Cavanaugh, of Ann Arbor, Mich.; John Vincent Weadock, of Saginaw, Mich.; and James H. Hart, of Austin, Tex., were admitted to practice.

No. 246. Pacific American Fisheries, petitioner, *v.* Territory of Alaska. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs; and cause remanded to the District Court of the United States for the District of Alaska. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:
No. 361. Clarence H. Myers *v.* Hurley Motor Company, Inc. Motion to bring up entire record and cause denied.

No. —, original. Ex parte In the matter of James A. Wood, petitioner. Motion for leave to file a petition for a writ of habeas corpus herein denied; and motion for leave to proceed in forma pauperis denied.

No. 562. Alexander Sedgwick, plaintiff in error, *v.* Thomas E. Wing, Trustee. In error to the United States Circuit Court of Appeals for the First Circuit. Per curiam: Dismissed for the want of jurisdiction upon the authority of *Shulthis v. McDougal*, 225 U. S. 561, 568; *Hull v. Burr*, 234 U. S. 712, 720; *Delaware, Lackawanna & Western R. R. Co. v. Yurkonis*, 238 U. S. 439, 444; *Barnet v. Kunkel*, 264 U. S. 16.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, County Treasurer. Further consideration of the

motion to dismiss in this cause postponed until the hearing of the cause on the merits.

No. **631**. Munich Reinsurance Company, appellant, *v.* First Reinsurance Company of Hartford. Further consideration of the motion to dismiss in this cause postponed until the hearing of the cause on the merits.

No. **791**. Luther Weedin, Commissioner of Immigration, petitioner, *v.* Chin Bow. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

Nos. **794** and **795**. The Farmers' Loan & Trust Company, etc., petitioner, *v.* Frederick C. Hicks, Alien Property Custodian, et al. Petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. **798**. Henry Pommery, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. **799**. John A. Murphy, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

ORDER

The court will take a recess from Monday, December 14 next, until Monday, January 4, 1926.

No. **93**. The United States, appellant, *v.* Lucia E. Blount, Administratrix, etc. Continued, on motion of Mr. Solicitor General Mitchell for the appellant.

No. **232**. Thomas W. Miller, Alien Property Custodian, appellant, *v.* Richard Mayer et al.;

No. **233**. Richard Mayer et al., appellants, *v.* Thomas W. Miller, Alien Property Custodian, et al.; and

No. **234**. Edwin Reis et al., appellants, *v.* Richard Mayer et al. Resignation of Thomas W. Miller, Alien Property Custodian, suggested, and Frederick C. Hicks, present Alien Property Custodian, ordered substituted as the party appellant in No. **232** and as a party appellee in Nos. **233** and **234**, on motion of Mr. Solicitor General Mitchell in that behalf.

No. **354**. The Liberty Warehouse Company et al., etc., plaintiffs in error, *v.* B. S. Grannis, as Commonwealth Attorney. Motion to advance and transfer to the summary docket submitted by Mr. A. L. Cole for the plaintiffs in error.

No. 767. The Minneapolis & St. Louis Railroad Company et al., appellants, *v.* Peoria & Pekin Union Railway Company. Motion to advance and transfer to the summary docket submitted by Mr. Robert V. Fletcher for the appellee.

No. 193. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Motion to dismiss or to advance No. 607 to be heard with No. 193 submitted by Mr. Alexander Britton in behalf of Mr. William D. Bangs for the appellee in support of the motion.

No. 194. Old Colony Trust Company, as Trustee, appellant, *v.* The City of Seattle et al. Motion to dismiss submitted by Mr. John F. Miller in behalf of Mr. Howard A. Hanson and Mr. Thomas J. L. Kennedy for the appellees in support of the motion, and by Mr. James B. Howe for the appellant in opposition thereto.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States intervener. Statement of commissioners as to expenses, etc., received and filed, on motion of Mr. Robert F. Cogswell in that behalf.

No. 806. James V. Martin, petitioner, *v.* Honorable Frederick L. Siddons, Judge, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Joseph W. Cox and Mr. William H. White, jr., for the respondent.

No. 808. Seaboard Air Line Railway Company, petitioner, *v.* Mrs. Louise E. Gerow, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Murray Allen for the petitioner, and by Mr. William C. Douglass, Mr. Clyde A. Douglass, and Mr. Robert N. Simms for the respondent.

No. 815. James B. Kelly et al., petitioners, *v.* The City of Beggs, Oklahoma, et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Louis W. Pratt and Mr. James M. Springer for the petitioners.

No. 820. The State of Minnesota, petitioner, *v.* First National Bank of St. Paul. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Clifford L. Hilton, Mr. G. A. Youngquist, and Mr. Patrick J. Ryan for the petitioner, and by Mr. Thomas D. O'Brien, Mr. Alexander E. Horn, and Mr. Edward S. Stringer for the respondent.

No. 756. Gulf & Ship Island Railroad Company, plaintiff in error, *v.* F. L. Riley Mercantile Company et al. In error to the Circuit Court of Jefferson Davis County, State of Mississippi. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 23, original. Ex parte In the matter of the State of Maryland, petitioner (Case A);

No. 24, original. Ex parte In the matter of the State of Maryland, petitioner (Case B); and

No. 25, original. Ex parte In the matter of the State of Maryland, petitioner (Case C). Argument on the return to the rule to show cause commenced by Mr. Herbert Levy for the petitioner, continued by Mr. Assistant to the Attorney General Donovan, for the respondents, and concluded by Mr. Thomas H. Robinson, for the petitioner.

No. 493. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, jr., et al., Executors. Three hours allowed for the argument of this cause. Argument commenced by Mr. Solicitor General Mitchell for the plaintiff in error, and continued by Mr. Lloyd M. Robbins and Mr. Peter F. Dunne for the defendants in error.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 8, will be as follows: Nos. 493, 388 (and 389, 390, 391, 336, 355, and 471), 473 (and 611), 512, and 510.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Joseph G. Medlenka, of Crowley, La.; J. M. Richardson Lyeth, of New York City; Louis Joffe, of Washington, D. C.; Albert H. Van Hook, of Shreveport, La.; and Harry J. Capehart, of Welch, W. Va., were admitted to practice.

No. 493. The United States of America, plaintiff in error, *v.* Reuel D. Robbins, Jr., et al., Executors, etc. Argument continued by Mr. Peter F. Dunne for the defendants in error and concluded by Mr. Solicitor General Mitchell for the plaintiff in error.

No. 388. Royal Mineral Association et al., appellants, *v.* Samuel Lord et al., etc.;

No. 389. William E. Boeing et al., etc., appellants, *v.* Samuel Lord et al., etc.;

No. 390. Robert E. Whiteside et al., appellants, *v.* Samuel Lord et al., etc.;

No. 391. Merrimac Mining Company, appellant, *v.* Samuel Lord et al., etc.;

No. 336. Lake Superior Consolidated Iron Mines et al., appellants, *v.* Samuel Lord et al., etc.;

No. 355. George L. Burrows, Jr., et al., etc., appellants, *v.* Samuel Lord et al.; and

No. 471. Helen P. Bardwell et al., appellants, *v.* Sargent Land Company et al. Eight hours allowed for the argument of these cases. Argument commenced by Mr. Charles E. Hughes for the appellants in **No. 355** and continued by Mr. William D. Bailey for the appellants in **Nos. 388, 389, 390, and 391**; by Mr. J. R. Van Derlip for the appellants in **No. 471**; by Mr. John G. Milburn for the appellants in **No. 471**; and by Mr. Patrick J. Ryan for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, December 9, will be as follows: **Nos. 388 (and 389, 390, 391, 336, 355, and 471), 473, 611, 512, and 510.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Frank M. Bailey, of Chickasha, Okla.; Isidor A. Landesman, of Boston, Mass.; Mark Squires, of Lenoir, N. C.; Albert B. Boardman, of New York City; Joseph B. Dooley, of Amarillo, Tex.; and Arthur G. Brode, of Memphis, Tenn., were admitted to practice.

ORDER

It is now here ordered by this court that the renewal bond of the clerk in the amount of twenty thousand dollars (\$20,000) presented this day be, and the same is hereby, approved and ordered filed with the Attorney General.

No. **277**. Public Service Commission of the State of Missouri, etc., et al., appellants, *v.* The Louisiana Water Company. Appeal from the District Court of the United States for the Western District of Missouri. Dismissed, per stipulation.

No. **388**. Royal Mineral Association et al., appellants, *v.* Samuel Lord et al., etc.;

No. **389**. William E. Boeing et al., etc., appellants, *v.* Samuel Lord et al., etc.;

No. **390**. Robert E. Whiteside et al., appellants, *v.* Samuel Lord et al., etc.;

No. **391**. Merrimac Mining Company, appellant, *v.* Samuel Lord, et al., etc.;

No. **336**. Lake Superior Consolidated Iron Mines et al., appellants, *v.* Samuel Lord et al., etc.;

No. **355**. George L. Burrows, Jr., et al., etc., appellants, *v.* Samuel Lord et al.; and

No. **471**. Helen P. Bardwell et al., appellants, *v.* Sargent Land Company et al. Argument continued by Mr. Patrick J. Ryan for the appellees, and by Mr. G. A. Youngquist for the appellees, and concluded by Mr. N. L. Miller for the appellants in No. **336**.

No. **473**. The United States of America, petitioner, *v.* One Ford Coupe Automobile, No. 4776501, etc.; and

No. **611**. Port Gardner Investment Company *v.* The United States of America. Argued by Mr. Duane R. Dills for the respondent in No. **473** and Port Gardner Investment Company in No. **611**, and by Assistant Attorney General Willebrandt for the United States.

No. **512**. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Leave granted to file a brief herein as amicus curiae, on motion of Mr. James A. Beha for Friedrich Schott.

No. **512**. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Six hours allowed for the argument of this cause. Argument commenced by Mr. Henry W. Anderson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, December 10, will be as follows: Nos. **512** and **510**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, and Mr. Justice Sanford.

David A. Simmons, of Houston, Tex.; Benjamin E. Carter, of Texarkana, Ark.; Milton A. Lehr, of Washington, D. C.; Ewert W. Hobbs, of Washington, D. C.; and James Garretson, of New York City, were admitted to practice.

No. 512. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Argument continued by Mr. Henry W. Anderson for the appellant and by Mr. John W. Davis for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, December 11, will be as follows: Nos. 512 and 510.

64196—25—38

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Alvin E. Evans, of Washington, D. C., and M. E. Lesser, of Memphis, Tenn., were admitted to practice.

No. 512. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Argument continued by Mr. John W. Davis for the appellee, and concluded by Mr. Assistant Attorney General Galloway for the appellant. Leave granted counsel for the appellant to file an additional brief herein within one week, and to counsel for the appellee to file a reply thereto within three days thereafter.

No. 510. D. E. Weaver, Chief of the Bureau of Inspection, etc., appellant, *v.* The Palmer Brothers Company. Argued by Mr. E. Lowry Humes for the appellant and by Mr. Edwin W. Smith for the appellee.

Adjourned until Monday next at 12 o'clock.

64196—25—39

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ernest S. Ballard, of Chicago, Ill.; Marie O. Andresen, of Chicago, Ill.; Frank G. Plain, of Aurora, Ill.; E. E. McInnis, of Oklahoma City, Okla.; Alonzo P. Deeds, of Washington, D. C.; Roy M. Finley, of Sherman, Tex.; George R. Stobbs, of Worcester, Mass.; and Charles B. Rugg, of Worcester, Mass., were admitted to practice.

No. 65. The United States of America, petitioner, *v.* New York & Cuba Mail Steamship Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment of the United States Circuit Court of Appeals for the Second Circuit reversed; and judgment of the District Court of the United States for the Southern District of New York affirmed; and cause remanded to the said District Court. Opinion by Mr. Justice Sanford.

No. —, original. *Ex parte* In the matter of Marcus Gruber, petitioner. Motion for leave to file a petition for a writ of mandamus herein denied, for want of original jurisdiction. Opinion by Mr. Justice Sutherland.

No. 423. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 424. The United States of America, appellant, *v.* Securities Corporation General;

No. 425. Frank White, Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 426. The United States of America, appellant, *v.* Middleton S. Borland, Trustee;

No. 427. Frank White, Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee;

No. 428. The United States of America, appellant, *v.* C. I. Stralem et al., etc.;

No. 429. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem et al.;

No. 430. The United States of America, appellant, *v.* The Equitable Trust Company of New York;

No. 431. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 432. The United States of America, appellant, *v.* American National Bank of St. Paul;

No. 433. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 434. The United States of America, appellant, *v.* Henry G. Hilken;

No. 435. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 436. The United States of America, appellant, *v.* Abraham L. Garbat;

No. 437. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 438. The United States of America, appellant, *v.* Anna Thalmann;

No. 439. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 440. The United States of America, appellant, *v.* Republic Trading Company;

No. 441. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 442. The United States of America, appellant, *v.* Jacob Kaufman;

No. 443. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman;

No. 444. The United States of America, appellant, *v.* August Hecksher;

No. 445. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher. Appeals from the Court of Appeals of the District of Columbia;

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company; and

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. On writs of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decrees affirmed; and causes Nos. 809 and 810 remanded to the District Court of the United States for the Eastern District of Missouri. Opinion by Mr. Justice Holmes. Mr. Justice Stone took no part in the consideration or decision of these cases.

No. 249. Henderson Water Company, appellant, *v.* The Corporation Commission of the State of North Carolina et al. Appeal from the District Court of the United States for the Eastern District of North Carolina. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. The petition for rehearing in this cause, which was heretofore dismissed for lack of jurisdiction, having been considered by the court, is hereby granted, and the cause is set down for further hearing on Monday, March 15 next, when the issue as to the jurisdiction of this court and the merits of the case will be reargued.

No. 354. The Liberty Warehouse Company et al., etc., plaintiffs in error, *v.* B. S. Grannis, as Commonwealth Attorney, etc. Motion to advance or transfer to the summary docket denied.

No. 767. The Minneapolis & St. Louis Railroad Company et al., appellants, *v.* Peoria & Pekin Union Railway Company. Motion to advance and transfer to the summary docket granted, and cause placed on the summary docket and assigned for argument on Monday, March 15 next, after the case heretofore assigned for that day.

Nos. 193 and 670. Frank L. Smith et al., appellants, *v.* Illinois Bell Telephone Company. Further consideration of the motion to dismiss herein postponed until the hearing of the cases on the merits. Ordered that No. 670 be advanced and assigned for argument with No. 193.

No. 194. Old Colony Trust Company, as Trustee, etc., appellant, *v.* The City of Seattle et al. Further consideration of the motion to dismiss herein postponed until the hearing of the cause on the merits.

No. 683. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator; and

No. 684. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Fred A. Elder. Further consideration of the motion to dismiss or affirm herein postponed until the hearing of the cases on the merits. Ordered that these cases be advanced to be heard as one case on the regular docket on Monday, March 15 next, after the cases heretofore assigned for that day.

No. 820. The State of Minnesota, petitioner, *v.* First National Bank of St. Paul. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 806. James V. Martin, petitioner, *v.* Hon. Frederick L. Sidons, Judge, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 808. Seaboard Air Line Railway Company, petitioner, *v.* Mrs. Louise E. Gerow, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina denied.

No. 815. James B. Kelly et al., petitioners, *v.* The City of Beggs, Oklahoma, et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 418. David H. Blair, Commissioner of Internal Revenue, et al., appellants, *v.* Joe Dukich; and

No. 674. Israel Seligman, appellant, *v.* Frank K. Bowers, Collector, et al. Motion to advance and consolidate submitted by Mr. Solicitor General Mitchell in that behalf.

No. 315. Marion & Rye Valley Railway Company, appellant, *v.* The United States. Leave granted to file a brief herein as amicus curiae, on motion of Mr. Victor A. Remy in that behalf.

No. 623. Yu Cong Eng et al., etc., petitioners, *v.* W. Trinidad, as Collector, etc. Motion to advance submitted by Mr. Mahlon B. Doing in behalf of Mr. Frederic R. Coudert, Mr. Addison D. Gibbs, and Mr. Frederic R. Coudert, jr., for the petitioners.

Nos. 612 and 613. Joseph B. Marsino, plaintiff in error. *v.* The Commonwealth of Massachusetts. Motion to advance for argument immediately following case No. 143, submitted by Mr. Charles B. Rugg for the defendant in error in Nos. 612 and 613.

No. 423. Frank White, as Treasurer of the United States, et al., appellants, *v.* The Mechanics Securities Corporation;

No. 424. The United States of America, appellant, *v.* Securities Corporation General;

No. 425. Frank White, as Treasurer of the United States, et al., appellants, *v.* Securities Corporation General;

No. 426. The United States of America, appellant, *v.* Middleton S. Borland, Trustee;

No. 427. Frank White, as Treasurer of the United States, et al., appellants, *v.* Middleton S. Borland, Trustee;

No. 428. The United States of America, appellant, *v.* C. I. Stralem, et al., etc.;

No. 429. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* C. I. Stralem, et al.;

No. 430. The United States of America, appellant, *v.* The Equitable Trust Company of New York;

No. 431. Frederick C. Hicks, as Alien Property Custodian, et al., appellants, *v.* The Equitable Trust Company of New York;

No. 432. The United States of America, appellant, *v.* American National Bank of St. Paul;

No. 433. Frank White, Treasurer of the United States, et al., appellants, *v.* American National Bank of St. Paul;

No. 434. The United States of America, appellant, *v.* Henry G. Hilken;

No. 435. Frank White, Treasurer of the United States, et al., appellants, *v.* Henry G. Hilken;

No. 436. The United States of America, appellant, *v.* Abraham L. Garbat;

No. 437. Frank White, Treasurer of the United States, et al., appellants, *v.* Abraham L. Garbat;

No. 438. The United States of America, appellant, *v.* Anna Thalmann;

No. 439. Frank White, Treasurer of the United States, et al., appellants, *v.* Anna Thalmann;

No. 440. The United States of America, appellant, *v.* Republic Trading Company;

No. 441. Frank White, Treasurer of the United States, et al., appellants, *v.* Republic Trading Company;

No. 442. The United States of America, appellant, *v.* Jacob Kaufman;

No. 443. Frank White, Treasurer of the United States, et al., appellants, *v.* Jacob Kaufman;

No. 444. The United States of America, appellant, *v.* August Hecksher;

No. 445. Frank White, Treasurer of the United States, et al., appellants, *v.* August Hecksher;

No. 809. Frederick C. Hicks, as Alien Property Custodian, et al., petitioners, *v.* Mercantile Trust Company; and

No. 810. The United States of America, petitioner, *v.* Mercantile Trust Company. Mandates granted, on motion of Mr. Frederic D. McKenney in that behalf.

No. 647. Chin Set Wong, Uncle and Next Friend of Chin Fook, appellant, *v.* John P. Johnson, Commissioner of Immigration; and

No. 648. Seid Man, as Next Friend of Seid Wong, appellant, *v.* John P. Johnson, Commissioner of Immigration. Motion to extend time fixed by section 9 of Rule 11 for filing statement of points to be relied upon and designation by appellant of parts of record to be printed submitted by Mr. Roger O'Donnell in behalf of counsel for the appellants, and motion granted.

No. 824. Moritz Neuberger *v.* The United States of America. Motion to advance submitted by Mr. F. R. Brylawski in behalf of Mr. Louis Marshall for Moritz Neuberger.

No. 813. Chicago, Milwaukee & St. Paul Railway Company et al., petitioners, *v.* Public Utilities Commission of the State of Idaho. Petition for a writ of certiorari to the Supreme Court of the State of Idaho submitted by Mr. F. G. Dorety, Mr. Thomas Balmer, Mr. L. B. da Ponte, Mr. F. M. Dudley, Mr. Alex. M. Winston, and Mr. O. W. Dynes for the petitioners, and by Mr. C. E. Elmquist for the respondent.

No. 814. D. H. Brasfield et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John W. Preston for the petitioners, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 818. Ralph Nakutin, alias Ralph Natkin, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Jacob Levy for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 819. Chicago and North Western Railway Company, petitioner, *v.* Edward Ott. Petition for a writ of certiorari to the Supreme Court of the State of Wyoming submitted by Mr. R. N. Van Doren, Mr. Nelson J. Wilcox, and Mr. Thomas P. Littlepage for the petitioner.

Adjourned until Monday, January 4 next, at 12 o'clock.

The day call for Monday, January 4, 1926, will be as follows: Nos. 17, original, 19, original, 295, 315, 85, 88, 94, 95 (and 96, 97, 98, 99, and 100), 101, and 104.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Lester B. Griffith, of Phillipsburg, N. J.; Norman B. Bartlett, of Sioux Falls, S. Dak.; John O. Timlin, of Sayre, Pa.; Nat M. Lacy, of Macon, Mo.; Stanley B. Hall, of Boston, Mass.; Harold E. Judge, of Sioux Falls, S. Dak.; Elbert O. Jones, of Sioux Falls, S. Dak.; Frank E. Healy, of Windsor Locks, Conn.; Joseph A. Godown, of Columbus, Ohio; Cyrus Edgar Dietz, of Moline, Ill.; Edwin C. Blanchard, of Washington, D. C.; and John R. King, of Columbus, Ohio, were admitted to practice.

No. 258. George D. Provost and Cornelius W. Provost, copartners, composing the firm of Provost Bros. & Co., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Stone.

No. 337. The United States, appellant, *v.* P. Chauncey Anderson et al., etc.; and

No. 420. The United States, appellant, *v.* The Yale & Towne Manufacturing Company. Appeals from the Court of Claims. Judgments reversed; and causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone. Dissenting: Mr. Justice Sutherland and Mr. Justice Sanford.

No. 76. Minneapolis, St. Paul & Sault Ste. Marie Railway Company, petitioner, *v.* Ernest J. Goneau. On a writ of certiorari to the Supreme Court of the State of Minnesota. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 3. The United States of America, plaintiff in error, *v.* River Rouge Improvement Company et al. In error to the United States Circuit Court of Appeals for the Sixth Circuit. Judgments of the District Court and the Circuit Court of Appeals reversed, and cause remanded to the District Court of the United States for

the Eastern District of Michigan for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 256. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Appeal from the District Court of the United States for the Northern District of Texas. Decree reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 156. American Steel Foundries *v.* Thomas E. Robertson, Commissioner of Patents, and Simplex Electric Heating Company. On a certificate from the United States Circuit Court of Appeals for the Seventh Circuit. Question No. 1 is answered in the negative, and, since this will dispose of the case, categorical answers to the other questions are not deemed necessary. Opinion by Mr. Justice Sutherland.

No. 224. William O'Hara and Sven Tjersland, petitioners, *v.* Luckenbach Steamship Company. On a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 314. Claude C. Connally, commissioner of labor of the State of Oklahoma, et al., appellants, *v.* General Construction Company. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice Sutherland. Concurring: Mr. Justice Holmes and Mr. Justice Brandeis.

No. 73. Live Oak Water Users' Association, Butte County Farm Bureau, et al., plaintiffs in error, *v.* The Railroad Commission of the State of California et al. In error to the Supreme Court of the State of California. Dismissed for the want of jurisdiction. Opinion by Mr. Justice McReynolds.

No. 303. The United States of America, petitioner, *v.* James Daugherty. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Judgment of the United States Circuit Court of Appeals reversed, and judgment of the District Court of the United States for the District of Minnesota affirmed, and cause remanded to the said district court. Opinion by Mr. Justice McReynolds.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

On consideration of the third report of the commissioners heretofore selected to run, locate, and mark portions of the boundary between the States of Texas and Oklahoma along the south bank of the Red River, showing that they have run, located, and marked particular sections of such boundary from the one hundredth meridian of longitude to the eastern limit of Lamar County, Texas, other than the Big Bend and Fort Augur areas covered by two reports heretofore presented and confirmed, which said third report was presented and filed herein November 16, 1925;

And no objection or exception to such report being presented, although the time therefor has expired;

It is now here adjudged, ordered, and decreed that the said report be in all respects confirmed.

It is further adjudged, ordered, and decreed that the boundary line delineated and set forth in the report and on the map accompanying the same and referred to therein be established and declared to be the true boundary between the States of Texas and Oklahoma along the Red River at the several places designated in such report, subject, however, to such changes as may hereafter be wrought by the natural and gradual processes known as erosion and accretion as specified in the second, third, and fourth paragraphs of the decree rendered herein March 12, 1923, 261 U. S. 340.

It is further ordered that the clerk of this court do transmit to the Chief Magistrate of the States of Texas and Oklahoma copies of this decree duly authenticated under the seal of this court, together with copies of said report and the maps accompanying the same. Decree announced by Mr. Justice Van Devanter.

No. 13, original. The State of Oklahoma, complainant, *v.* The State of Texas, defendant; The United States, intervener.

ORDER

The report of the boundary commissioners of the work done, time employed, and expenses incurred in the survey marking and mapping of the boundary between the States of Texas and Oklahoma along the Red River from the one hundredth meridian of longitude to the eastern limit of Lamar County, Texas, other than the Big Bend and Fort Augur areas, pursuant to the decree of March 12, 1923 (261 U. S. 240), is approved and adopted. The compensation of the commissioners for the work done by them, as shown in the report, is fixed at \$3,350 for Arthur D. Kidder, and at \$5,800 for Arthur A. Stiles. The expenses incurred, as shown in the report, and the compensation here allowed shall be charged as part of the costs in this cause and shall be borne and

paid by the three parties to the cause in the proportions specified in the said decree. The parties severally shall be credited with the amounts advanced by them, as shown in the report; and they shall advance additional amounts to pay the compensation of the commissioners, as here allowed, and the balance of \$446.68 due to Arthur D. Kidder for expenses paid by him as shown in the report. Order announced by Mr. Justice Van Devanter.

No. 20, original. The State of New Jersey, complainant, *v.* Harry M. Daugherty et al. Bill of complaint dismissed. Opinion by Mr. Justice Van Devanter.

No. 26. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor of Guthrie County, Iowa, et al. In error to the Supreme Court of the State of Iowa. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Petition for a writ of certiorari herein denied. Opinion by Mr. Justice Van Devanter.

No. 493. The United States of America, plaintiff in error, *v.* Reud D. Robbins, jr., et al., as Executors, etc. In error to the District Court of the United States for the Northern District of California. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice Sutherland. Mr. Justice Stone took no part in the consideration or decision of this cause

No 418. David H. Blair, Commissioner of Internal Revenue, et al., appellants, *v.* Joe Dukich; and

No 674. Israel Seligman, appellant, *v.* Frank K. Bowers, collector, et al. Motion to consolidate and advance granted; and causes assigned for argument on Monday, April 12th next, after the cases heretofore assigned for that day.

No 623. Yu Cong Eng et al., etc., petitioners, *v.* W. Trinidad, as Collector, etc. Motion to advance granted, and cause assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No 612. Joseph B. Marsino, plaintiff in error, *v.* The Commonwealth of Massachusetts; and

No 613. Joseph B. Marsino, plaintiff in error, *v.* The Commonwealth of Massachusetts. Motion to advance granted, and causes assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No. 824. *Moritz Neuberger v. The United States of America.* Motion to advance granted, and cause assigned for argument on Monday, April 12 next, after the cases heretofore assigned for that day.

No. 813. *Chicago, Milwaukee & St. Paul Railway Company et al., petitioners, v. Public Utilities Commission of the State of Idaho.* Petition for a writ of certiorari to the Supreme Court of the State of Idaho granted.

No. 814. *D. H. Brasfield et al., petitioners, v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 793. *John Russo, alias Massimino Pissanello, petitioner, v. The People of the State of New York.* Petition for a writ of certiorari to the Court of Appeals of the State of New York denied.

No. 818. *Ralph Nakutin, alias Ralph Natkin, petitioner, v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 819. *Chicago and North Western Railway Company, petitioner, v. Edward Ott.* Petition for a writ of certiorari to the Supreme Court of the State of Wyoming denied.

No. 868. *William A. Lawrence, petitioner, v. The State of Arizona.* Application for certiorari to the Supreme Court of the State of Arizona. Per curiam: This is a petition for a writ of certiorari to the Supreme Court of Arizona to review the validity of a judgment of that court affirming the judgment of the Superior Court of Maricopa County of that State sentencing the petitioner to death for the crime of murder. There is also a motion by petitioner to be allowed to proceed in this court in forma pauperis and for a stay of the sentence which by its terms is to be executed on January 8th next. We have considered the petition, and all the papers accompanying it, and the brief of counsel for the petitioner setting forth the grounds upon which it is claimed that this court should take jurisdiction of the cause. After full examination we find that there is no Federal question disclosed upon which we properly could grant the writ of certiorari and review the case. The petition for certiorari is therefore denied, and so also of course are the motions for leave to proceed in forma pauperis and for a stay of the sentence. The clerk will issue certificate of our action forthwith to the clerk of the Supreme Court of Arizona, and in addition will advise by telegram the Governor of Arizona, the clerk of its Supreme Court, and the counsel for the petitioner.

No. 739. Mrs. Ida Hughes, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Per curiam: Application for further proceedings in forma pauperis herein denied, for the reason that the court has examined the type-written record and found that the writ of error presents no substantial Federal question.

No. 512. The United States of America, appellant, *v.* The Chemical Foundation, Inc. Leave granted to file a brief herein as amicus curiæ, on motion of Mr. A. W. Laferty in that behalf.

No. 315. Marion-Rye Valley Railway Company, appellant, *v.* The United States. Leave granted to file a brief herein as amicus curiæ, on motion of Mr. M. C. Elliott for Colorado & Cripple Creek Railroad Company.

No. 449. Lazarus G. Joseph et al., petitioners, *v.* John Bordman et al. Motion to advance submitted by Mr. H. D. Green for the petitioner.

No. 789. International Stevedoring Company, petitioner, *v.* R. Haverty. Joint motion to advance submitted by Mr. Nelson Hartson in that behalf.

No. 718. Edward F. Goltra, petitioner, *v.* John W. Weeks, Secretary of War et al. Dwight F. Davis, present Secretary of War, ordered substituted as a party respondent herein, on motion of Mr. Joseph T. Davis in that behalf.

No. 828. Marion L. Frost et al., etc., plaintiffs in error, *v.* Railroad Commission of the State of California. Motion to advance submitted by Mr. E. C. Blanchard in that behalf.

No. 787. The Chesapeake & Ohio Railway Company, plaintiff in error, *v.* Williams Slate Company. Motion to dismiss submitted by Mr. Arden Howell in behalf of Mr. Samuel A. Anderson for the defendant in error in support of the motion, and by Mr. David H. Leake and Mr. Walter Leake for the plaintiff in error in opposition thereto.

No. 521. Stanley F. Ashe, Warden, etc., appellant, *v.* The United State of America ex rel. Joseph Valotta. Motion to advance submitted by Mr. James O. Campbell for the appellant.

No. 227. Beatrice J. Weston et al., plaintiffs in error, *v.* The City of Tulsa et al. Motion to dismiss or affirm or advance submitted by Mr. George S. Clay, Mr. Milton S. Dillon, Mr. R. C. Allen, and I. J. Underwood for the defendants in error in support of the motion, and by Mr. Louis W. Pratt and Mr. James M. Springer for the plaintiff in error in opposition thereto.

No. 610. Dwight Harrison, plaintiff in error, *v.* The State of Ohio. Motion to dismiss or affirm submitted by Mr. L. R. Pugh, Mr.

John R. Knight, and Mr. J. A. Godown for the defendant in error in support of the motion, and by Mr. Smith W. Bennett and Mr. Robert R. Nevin for the plaintiff in error in opposition thereto.

No. 800. United States Sugar Equalization Board, Inc., petitioner, *v.* P. DeRonde & Company, Inc. Motion to advance submitted by Mr. George B. Francis in that behalf.

No. 174. J. L. Lancaster et al., receivers of the Texas & Pacific Railway, plaintiff in error, *v.* H. L. Smith et al. Submitted by Mr. T. D. Gresham and Mr. Robert L. W. Thompson for the plaintiffs in error, and by Mr. Thornton Hardie for the defendants in error.

No. 107. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Leave granted to file a brief herein as *amicus curiæ*, on motion of Mr. Thomas Ewing in that behalf.

No. 504. H. B. Crone, appellant, *v.* John W. Snook, warden. Motion for leave to proceed in forma pauperis herein submitted by Mr. Thomas Ewing for the appellant.

No. 22, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Motion and stipulation for the appointment of a commissioner herein submitted by Mr. Robert Ash for the complainant.

No. 312. Western Paper Makers' Chemical Company et al., appellants, *v.* The United States of America et al. Motion as to taxation of costs submitted by Mr. Robert Ash in behalf of counsel for the appellants.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Leave granted to file demurrer and motion to dismiss, and time fixed for the filing of briefs, on motion of Mr. Cyrus E. Dietz for the defendant, The State of Illinois. Motion to set cause for argument on March 8 next submitted by Mr. Cyrus E. Dietz in that behalf. Leave granted to file answer, on motion of Mr. Edmund D. Adcock for the defendant Sanitary District of Chicago.

No. 823. Allan Pinkerton, doing business as Pinkerton's National Detective Agency et al., appellants, *v.* Eugene Wengert et al. Leave granted to file statement of points to be relied upon and designation by appellants of parts of the record to be printed, on motion of Mr. Dean Acheson in that behalf.

No. 816. Clarence C. Culver, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. George A. King for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 821. Pacific Steamship Company, petitioner, *v.* Margaret Sutton, by Harwood Hall, her guardian ad litem. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Benjamin Grosscup, Mr. W. Carr Morrow, and Mr. Charles A. Wallace for the petitioner, and by Mr. C. K. Poe for the respondent.

No. 822. Pacific Steamship Company, petitioner, *v.* Ella Cacketts. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Benjamin Grosscup, Mr. W. Carr Morrow, and Mr. Charles A. Wallace for the petitioner.

No. 826. Wade Larramore et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John W. Bennett for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 829. J. C. Owens, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Joseph E. Morrison for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 830. Evelyn Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Joseph E. Morrison for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 832. Edward F. Cullom et al., trustee, petitioner, *v.* E. B. Kearns. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. E. Alexander for the petitioner, and by Mr. Louis M. Swink for the respondent.

No. 833. M. F. Jones, petitioner, *v.* Irving Page, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. John B. Dudley for the petitioner, and by Mr. B. D. Shear and Mr. E. E. Blake for the respondent.

No. 834. Beech-Nut Packing Company, petitioner, *v.* P. Lorillard Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Charles E. Hughes, Mr. Walter A. Scott, Mr. James R. Offield, and Mr. H. McClure Johnson for the petitioner, and by Mr. John W. Davis and Mr. William R. Perkins for the respondent.

No. 835. W. S. Whiting, petitioner, *v.* Mark Squires, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Alfred S. Barnard for the petitioner, and by Mr. Mark Squires for the respondent.

No. 837. George B. Wilson, petitioner, *v.* Elk Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Dore, Mr. F. C. Reagan, and Mr. Abner H. Ferguson for the petitioner, and by Mr. George Donworth, Mr. Elmer E. Todd, Mr. John C. Higgins, and Mr. Charles T. Donworth for the respondent.

No. 838. Cologero Fasulo, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Benjamin L. McKinley for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar C. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 841. Kurt Kling et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Ferdinand Henry Wurzer for the petitioners, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 847. The United States ex rel. Skinner and Eddy Corporation, petitioner, *v.* J. R. McCarl, Comptroller General of the United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Louis Titus and Mr. J. Barrett Carter for the petitioner; with leave to file brief for the respondent within ten days, on motion of Mr. Solicitor General Mitchell in that behalf.

No. 848. John W. Langley, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Henry E. Davis for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Proposed form of decree pursuant to the opinion of this court submitted by Mr. Caruthers Ewing for the complainant and by Mr. Guston F. Fitzhugh for the defendant.

No. 182. United Fuel Gas Company, appellant, *v.* The Public Service Commission of West Virginia et al. Appeal from the Dis-

trict Court of the United States for the Southern District of West Virginia. Dismissed with costs, on motion of counsel for the appellant.

No. 350. The New York Central Railroad Company, plaintiff in error, *v.* The Lakewood Engineering Company. In error to the District Court of the United States for the Northern District of Ohio. Dismissed, per stipulation.

The clerk reported the filing of returns by the following rules to show cause in the matter of disbarment proceedings:

John H. Adriaans, Walter Holland, Horace L. B. Atkisson, Henry E. Bolt, and Norman T. Whitaker.

The clerk reported that no return to the rule to show cause has been filed by L. Grandin Grossman.

No. 85. George H. Kelly et al., Copartners, etc., appellants, *v.* Dwight W. Davis, Secretary, et al. Continued, on motion of Mr. Solicitor General Mitchell for the appellees.

No. 101. J. L. Lancaster et al., Receivers, plaintiffs in error, *v.* Bernice S. Graham. Submitted by Mr. F. H. Prendergast, Mr. T. D. Gresham, Mr. George Thompson, and Mr. Robert L. W. Thompson for the plaintiffs in error, and by Mr. J. C. George for the defendant in error.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Argument commenced by Mr. W. W. Dyar for the complainant, and continued by Mr. M. J. Brown for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 5, will be as follows: Nos. 17 original, 19 original, 295, 315, 88, 94, 95 (and 96, 97, 98, 99, and 100), 104, 105, and 106.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

William M. Donlin, of Washington, D. C.; Bernard J. Vincent, of New York City; Samuel M. Dudley, of Washington, D. C.; Arthur B. Spingarn, of New York City; Mortimer M. Harris, of Washington, D. C.; and Ed. L. Grantham, of Aberdeen, S. Dak., were admitted to practice.

No. 295. Henry P. Keith, Late Collector of United States Internal Revenue for the First Collection District of New York, petitioner, *v.* Emma B. Johnson, Administratrix of the Goods, Chattels, and Credits which were of John G. Johnson, Deceased. Leave granted to file a brief herein as amici curiae, on motion of Mr. John M. Perry, Mr. C. Alexander Capron, Mr. Russell L. Bradford, and Mr. Walter F. Taylor in that behalf.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Argument continued by Mr. M. J. Brown for the defendant, and concluded by Mr. G. A. Youngquist for the defendant.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Leave granted to file additional brief herein within one week, on motion of Mr. Meredith P. Sawyer for the complainant; with leave to Mr. R. M. Rieser to file an additional brief for the defendant within one week thereafter. Argued by Mr. Meredith P. Sawyer for the complainant, and by Mr. R. M. Rieser for the defendant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 6, will be as follows: Nos. 295, 315, 88, 94, 95 (and 96, 97, 98, 99, and 100), 104, 105, 106, 107, and 115.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Logan Berry, of Clark, S. Dak.; Lloyd L. Duke, of Ottumwa, Iowa; Malvern E. Schultz, of Cleveland, Ohio; Paul E. Haworth, of Washington, D. C.; James McNenny, of Deadwood, S. Dak.; and Edward J. Farrell, of Chicago, Ill., were admitted to practice.

No. 295. Henry P. Keith, Late Collector, etc., petitioner, *v.* Emma B. Johnson, as Administratrix. Argument commenced by Mr. Newton K. Fox for the petitioner, continued by Mr. W. H. Trigg for the petitioner and by Mr. S. V. Lowell for the respondent, and concluded by Mr. John M. Perry for the respondent.

No. 315. Marion & Rye Valley Railway Company, appellant, *v.* The United States. Argument commenced by Mr. Ben B. Cain for the appellant, continued by Mr. A. A. McLaughlin for the appellee, and concluded by Mr. Milton C. Elliott for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 7, will be as follows: Nos. 88, 94, 95 (and 96, 97, 98, 99 and 100), 104, 105, 106, 107, 115, 119, and 121.

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SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

William Warfield Ross, of Washington, D. C.; Howard Cecil Kilpatrick, of Washington, D. C.; Otto Russell Stites, of Washington, D. C.; Richard H. Radley, of Peoria, Ill.; Y. D. Mathes, of Houston, Tex.; Willis B. Goodenow, of Detroit, Mich.; and Harry J. Lippman, of Detroit, Mich., were admitted to practice.

No. 776. Michael McTernan, plaintiff in error, *v.* The City of Kansas City, Missouri. Leave granted to file statement of points to be relied upon, on motion of Mr. James A. Reed for the plaintiff in error.

No. 121. Postum Cereal Company, Inc., appellant, *v.* California Fig Nut Company. Continued, per stipulation.

No. 88. Fidelity & Deposit Company of Maryland, appellant, *v.* J. M. Luna et al., etc. Argued by Mr. Charles Markell for the appellant, and by Mr. M. J. Helmick for the appellees.

No. 94. L. Littlejohn & Company, Inc., et al., appellants, *v.* The United States of America. Argument commenced by Mr. J. W. Ryan for the appellants, continued by Mr. Solicitor General Mitchell for the appellee, and concluded by Mr. John M. Woolsey for the appellants.

No. 95. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Rock Island & Pacific Railway Company;

No. 96. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Milwaukee & St. Paul Railway Company;

No. 97. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, St. Paul, Minneapolis & Omaha Railway Company;

No. 98. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Northern States Power Company;

No. 99. A. G. Risty et al., County Commissioners, etc., appellants, *v.* The City of Sioux Falls; and

No. 100. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Great Northern Railway Company. Three hours allowed for the argument of these cases. Argument commenced by Mr. Benjamin I. Salinger for the appellants, and continued by Mr. N. B. Bartlett for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for to-morrow, January 8, will be as follows: Nos. 95 (and 96, 97, 98, 99, and 100), 104, 105, 106, 107, 115, 119, 122, 123, and 124.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Martin A. Hogan, of Minneapolis, Minn.; Edward L. Smead, of Washington, D. C.; Joseph B. Morris, of Beaumont, Tex.; M. G. Adams, of Beaumont, Tex.; Frank McNulty, of Aberdeen, S. Dak.; and Raymond G. Young, of Omaha, Nebr., were admitted to practice.

No. 129. William H. Edwards, Collector, etc., petitioner, *v.* Archibald Douglas et al., Executors, etc. Leave granted to file a petition for rehearing herein, on motion of Mr. Paul Armitage in that behalf.

No. 95. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Rock Island & Pacific Railway Company;

No. 96. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, Milwaukee & St. Paul Railway Company;

No. 97. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Chicago, St. Paul, Minneapolis & Omaha Railway Company;

No. 98. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Northern States Power Company;

No. 99. A. G. Risty et al., County Commissioners, etc., appellants, *v.* City of Sioux Falls; and

No. 100. A. G. Risty et al., County Commissioners, etc., appellants, *v.* Great Northern Railway Company. Argument continued by Mr. C. O. Bailey for the appellees in Nos. 96, 97, and 99; and submitted by Mr. E. S. Stringer for the appellee in No. 95, by Mr. R. M. Campbell for the appellee in No. 98, by Mr. E. L. Grantham for the appellee in No. 96, and by Mr. Harold E. Judge for the appellees in Nos. 98 and 100. Argument continued by Mr. Benjamin I. Salinger for the appellants, and concluded by Mr. E. O. Jones for the appellant.

No. 104. Irene Hand et al., appellants, *v.* John J. Buckley. Argument commenced by Mr. Louis Marshall for the appellants, continued

by Mr. James S. Easby-Smith for the appellee, and concluded by Mr. Moorfield Storey for the appellants.

No. 105. Midland Land & Improvement Company, appellant, *v.* The United States. Argument commenced by Mr. C. C. Calhoun for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 11, will be as follows: Nos. 106, 107, 115, 119, 122, 123, 124, 729 (and 730 and 731), 260, and 127.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Joseph L. Hooper, of Battle Creek, Mich.; Frank L. Dempsey, of Dallas, Tex.; Will E. Reardon, of Santa Monica, Calif.; William Hamlin Neely, of Harrisburg, Pa.; Paul A. Kunkel, of Harrisburg, Pa.; Arba B. Marvin, of New York City; Joseph P. Shoup, of Sioux City, Iowa; and Thomas P. Cleary, of Sioux City, Iowa, were admitted to practice.

No. 183. Leonard Metcalf et al., Copartners, etc., plaintiffs in error, *v.* Maria E. Mitchell, admx., etc.; and

No. 376. Maria E. Mitchell, admx., etc., plaintiff in error, *v.* Leonard Metcalf et al., Copartners, etc. In error to the District Court of the United States for the District of Massachusetts. Judgment in No. 183 affirmed with costs, and writ of error in No. 376 dismissed. Opinion by Mr. Justice Stone.

No. 192. Frank C. Bramwell, Superintendent of Banks of the State of Oregon, appellant, *v.* United States Fidelity & Guaranty Company. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of Oregon. Opinion by Mr. Justice Butler.

No. 503. The United States of America, petitioner, *v.* Butterworth-Judson Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 454. Leo A. Price, as Receiver in Equity of J. M. Gidding & Company, Inc., petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for

the Second Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

No. 496. Frank E. Stripe et al., as Receivers in Equity of Johnson Shipyards Corporation, petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Justice Butler.

No. 188. H. P. Trusler, plaintiff in error, *v.* Noah Crooks and Noah Crooks, Collector of Internal Revenue for the Sixth District of Missouri. In error to the District Court of the United States for the Western District of Missouri. Judgment reversed with costs, and cause remanded for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice McReynolds.

No. 87. Independent Wireless Telegraph Company, petitioner, *v.* Radio Corporation of America. On a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the Court:

No. 449. Lazarus G. Joseph et al., petitioners, *v.* John Bordman et al. Motion to advance granted, and cause assigned for argument on Monday, April 19 next.

No. 828. Marion L. Frost et al., etc., plaintiffs in error, *v.* Railroad Commission of the State of California. Motion to advance granted, and cause assigned for argument on Monday, April 19 next, after the case heretofore assigned for that day.

No. 521. Stanley F. Ashe, Warden, etc., appellant, *v.* The United States of America ex rel. Joseph Valotta. Motion to advance granted, and cause assigned for argument on Monday, March 1 next, after the cases heretofore assigned for that day.

No. 789. International Stevedoring Company, petitioner, *v.* R. Haverty. Motion to advance granted, and cause assigned for argument on Monday, October 4 next.

No. 800. United States Sugar Equalization Board, Inc., petitioner, *v.* P. DeRonde & Company, Inc. Motion to advance granted, and cause assigned for argument on Monday, October 4 next, after the case heretofore assigned for that day.

No. 504. H. B. Crone, appellant, *v.* John W. Snook, Warden. Per curiam: Petition for leave to proceed in forma pauperis denied, for the reason that the court has examined the petition for a writ of habeas corpus, for which this is an appeal, has found the question therein presented frivolous, and dismisses the appeal.

No. 22, original. The State of Louisiana, complainant, *v.* The State of Mississippi. Motion and stipulation for the appointment of a commissioner in this cause approved, with compensation for commissioner of \$10 per diem while engaged.

No. 312. Western Paper Makers' Chemical Company et al., appellants, *v.* The United States of America et al. On consideration of the motion of the appellants for an order fixing the clerk's fees for supervising the printing of the record in this case, it is now here ordered by this court that, in view of the exceptional circumstances of this particular case, the said motion be, and the same is hereby, granted to the extent that the narrative form of the record and certain designated papers from the certified transcript of record, filed pursuant to the order of this court, shall be considered the record as filed for the purpose of taxation of the clerk's fee for supervising the printing, and the clerk shall receive a fee of 10 cents per folio thereon. And it is further ordered by this court that in addition to the fee for supervising as above ordered, the clerk shall tax and receive the sum of \$25 as compensation for the additional labor imposed upon him in the preparation of this record for the printer.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois et al. Motion to set this cause for argument granted, and the cause assigned for argument on Monday, March 8 next.

No. 227. Beatrice J. Weston et al., plaintiffs in error, *v.* The City of Tulsa et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 610. Dwight Harrison, plaintiff in error, *v.* The State of Ohio. Further consideration of the motion to dismiss or affirm herein postponed until the hearing of the cause on the merits, and the cause placed on the summary docket and assigned for argument on Monday, March 8 next, after the case heretofore assigned for that day.

No. 787. Chesapeake & Ohio Railway Company, plaintiff in error, *v.* Williams Slate Company. In error to the Special Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code

as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. Petition for certiorari denied, and, there appearing to be no reasonable ground for granting the petition, a penalty of \$25 is awarded respondent and against the petitioner as reasonable damages for the delay under the proviso in section C of section 237 of the Judicial Code, as amended by the act of February 13, 1925, c. 229, sec. 1, 43 Stat. 937.

No. 174. *J. L. Lancaster et al., Receivers of the Texas & Pacific Railway, plaintiff in error, v. H. L. Smith et al.* In error to the Supreme Court of the State of Texas. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6. Petition for certiorari denied.

No. 101. *J. L. Lancaster et al., Receivers, plaintiffs in error, v. Bernice S. Graham.* In error to the Court of Civil Appeals, 4th Supreme Judicial District, of the State of Texas. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 816. *Clarence C. Culver, petitioner, v. The United States.* Petition for a writ of certiorari to the Court of Claims granted.

No. 834. *Beech-nut Packing Company, petitioner, v. P. Lorillard Company.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 838. *Cologero Fasulo, petitioner, v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 821. *Pacific Steamship Company, petitioner, v. Margaret Sutton, by Harwood Hall, her Guardian ad litem.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 822. *Pacific Steamship Company, petitioner, v. Ella Cackette.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 826. *Wade Larramore et al., petitioners, v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 829. *J. C. Owens, petitioner, v. The United States of America.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 830. Evelyn Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 832. Edward F. Cullom et al., Trustees, petitioners, *v.* E. B. Kearns. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 833. M. F. Jones, petitioner, *v.* Irving Page, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 835. W. S. Whiting, petitioner, *v.* Mark Squires, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 837. George B. Wilson, petitioner, *v.* Elk Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 841. Kurt Kling et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 848. John W. Langley, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 157. The United States of America, petitioner, *v.* The Trenton Potteries Company et al. Continued, on motion of Mr. Solicitor General Mitchell, for the petitioner.

No. 375. William H. Edwards, Collector, petitioner, *v.* Chile Copper Company. Motion to advance submitted by Mr. Solicitor General Mitchell, for the petitioner.

No. 470. The United States, appellant, *v.* John J. Mitchell et al., executors. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellant.

No. 846. Atlantic Coast Line Railroad Company, petitioner, *v.* George L. Wimberley, jr., administrator. Time extended within which to serve printed record, and 30 days granted respondent within which to file brief, on motion of Mr. Milton J. Elliott in behalf of counsel.

No. 44. Concrete Appliances Company et al., petitioners, *v.* John E. Gomery et al. Motion for an order taxing bond premium as costs submitted by Mr. Charles M. Galloway in that behalf.

No. 131. The Atchison, Topeka & Santa Fe Railway Company, plaintiff in error, *v.* The State of Kansas ex rel., The Public Utilities Commission for the State of Kansas et al. In error to the Su-

preme Court of the State of Kansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 387. Arthur Vanderbilt et al., Receivers, plaintiffs in error, *v.* Atlantic Coast Line Railroad Company. Motion to dismiss submitted by Mr. Thomas W. Davis for the defendant in error in support of the motion, and by Mr. Harry W. Van Dyke for the plaintiff in error in opposition thereto.

✓ No. 836. The Yankton Sioux Tribe of Indians, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Jennings C. Wise for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 839. Portneuf Marsh Valley Canal Company, petitioner, *v.* Howard W. Brown et al., Trustees. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. H. Peterson, Mr. T. C. Coffin, and Mr. D. C. McDougall for the petitioner.

No. 842. Otto L. Morris, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frank J. Looney for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar C. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 849. Lehigh Valley Railroad Company, petitioner, *v.* Anna Huben, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Clifton P. Williamson for the petitioner, and by Mr. Humphrey J. Lynch for the respondent.

No. 850. Lehigh Valley Railroad Company, petitioner, *v.* Annie Beltz, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Clifton P. Williamson for the petitioner, and by Mr. Humphrey J. Lynch for the respondent.

No. 854. Chicago & North Western Railway Company, petitioner, *v.* Augustus H. Bewsher. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Wymer Dressler and Mr. R. N. VanDoren for the petitioner.

No. 105. Midland Land & Improvement Company, appellant, *v.* The United States. Argument continued by Mr. Clarence C. Calhoun for the appellant, and by Mr. Assistant Attorney General Galloway for the appellee, and concluded by Mr. Clarence C. Calhoun for the appellant.

No. 106. Rhode Island Hospital Trust Company, Executor, plaintiff in error, *v.* Rufus A. Doughton, Commissioner of Revenue. Argued by Mr. John M. Robinson for the plaintiff in error, and by Mr. D. G. Brummitt for the defendant in error.

No. 107. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Argument commenced by Mr. James A. Watson for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 12, will be as follows: Nos. 107, 115, 119, 122, 123, 124, 729 (and 730 and 731), 260, 127, and 128.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Paul A. Chase, of Brattleboro, Vt.; Lloyd T. Crane, of Saginaw, Mich.; Robert S. Marx, of Chicago, Ill.; Herbert R. Limburg, of New York City; Mortimer H. Hess, of New York City; Paul H. Schmidt, of Evansville, Ind.; and James T. Cutter, of Evansville, Ind., were admitted to practice.

No. 107. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. Argument continued by Mr. James A. Watson for the petitioner, and by Mr. D. S. Edmonds for the respondent, and concluded by Mr. James A. Watson for the petitioner.

No. 115. The Interocean Oil Company, appellant, *v.* The United States. Argued by Mr. Charles E. Kern for the appellant; and cause submitted by Mr. Solicitor General Mitchell, Mr. Alfred A. Wheat, and Mr. Randolph S. Collins for the appellee.

No. 119. Georgine Iselin, appellant, *v.* The United States. Argument commenced by Mr. H. G. Pickering for the appellant, and concluded by Mr. Alfred A. Wheat for the appellee.

No. 122. H. E. Crook Company, Inc., appellant, *v.* The United States. Argument commenced by Mr. G. M. Brady for the appellant, continued by Mr. Assistant Attorney General Galloway for the appellee, and concluded by Mr. Bynum E. Hinton for the appellant.

No. 123. Chamberlain Machine Works, appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 13, will be as follows: Nos. 123, 124, 739 (and 730 and 731), 260, 127, 128, 130, 133, 134, and 135.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

B. Harris Henderson, of Baltimore, Md.; Charles K. Bullard, of Dallas, Tex.; George Sublett Atkinson, of Dallas, Tex.; and James Joseph Danaher, of Chicago, Ill., were admitted to practice.

No. 130. The United States of America, plaintiff in error, *v.* Isidore Cohn. Submitted by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Donovan for the plaintiff in error, and by Mr. Bernhardt Frank and Mr. Benjamin P. Epstein for the defendant in error.

No. 133. R. Glavin and Laura M. Glavin, appellants, *v.* Commonwealth Trust Company of Pittsburgh. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Dismissed with costs, on motion of counsel for the appellant.

No. 123. Chamberlain Machine Works, appellant, *v.* The United States. Argument continued by Mr. Raymond M. Hudson for the appellant, and concluded by Mr. Assistant to the Attorney General Donovan for the appellee.

No. 124. Millers Indemnity Underwriters, plaintiff in error, *v.* Mrs. Nellie Boudreaux Braud, etc., et al. Argued by Mr. J. B. Morris for the plaintiff in error, and by Mr. M. G. Adams for the defendant in error.

No. 729. Northern Cedar Company, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.;

No. 730. Yakima County Horticultural Union, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al.; and

No. 731. C. W. Chamberlain & Company et al., plaintiffs in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington, et al. Submitted by Mr. D. V. Halverstadt for the plaintiffs in error, and by Mr. J. H. Dunbar for the defendants in error.

No. 260. Panama Railroad Company, petitioner, *v.* Agapito Vasquez, Administrator, etc. Argued by Mr. Richard Reid Rogers for the petitioner, and concluded by Mr. Martin A. Schenck for the respondent.

No. 127. The Evansville & Bowling Green Packet Company, appellant, *v.* Chero Cola Bottling Company et al. Argument commenced by Mr. Chauncey I. Clark for the appellant, continued by Mr. James T. Cutler and Mr. Paul H. Schmidt for the appellees, and concluded by Mr. Chauncey I. Clark for the appellants.

No. 128. Charles Marx, Executor, plaintiff in error, *v.* Elizabeth Reinecke. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, on motion of Mr. B. Harris Henderson for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 14, will be as follows: Nos. 134, 135, 137, 138, 139, 141, 142, 143, 145, and 146.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Charles B. Selby, of Oklahoma City, Okla., and Thomas L. Pogue, of Cincinnati, Ohio, were admitted to practice.

No. 145. Doras Hebert et al., plaintiffs in error, *v.* The State of Louisiana. Continued, per stipulation.

No. 134. E. C. F. Sanchez et al., appellants, *v.* James Deering. Death of James Deering suggested, and Charles Deering and Richard F. Howe, in their own right, and Richard F. Howe as executor of the said James Deering, deceased, ordered substituted as parties appellees in this cause, on motion of Mr. F. M. Hudson in that behalf.

No. 134. E. C. F. Sanchez et al., appellants, *v.* Charles Deering et al., etc. Argued by Mr. William W. Dewhurst for the appellants, and by Mr. F. M. Hudson for the appellee.

No. 135. Armour & Company, petitioner, *v.* Fort Morgan Steamship Company et al. Argued by Mr. John D. Grace for the petitioner, and by Mr. Victor Leovy for the respondents.

No. 137. Girard Trust Company et al., appellants, *v.* The United States. Argument commenced by Mr. James Craig Peacock for the appellants, and continued by Mr. Alfred A. Wheat for the appellee.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, January 15, will be as follows: Nos. 137, 138, 139, 141, 142, 143, 146, 147, 148, and 149.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John F. Gillespie, of St. Louis, Mo.; Harry C. Grossman, of Chicago, Ill.; David H. Greenberg, of Chicago, Ill.; Arne C. Wiprud, of Minneapolis, Minn.; Fernald deJournal, of San Francisco, Calif.; James Dale Thom, of Chicago, Ill.; and Clint C. Hine, of Chicago, Ill., were admitted to practice.

No. 456. The Consolidated Coal Company, appellant, *v.* The United States. Appeal from the Court of Claims. Dismissed, on motion of Mr. J. Harry Covington for the appellant; and mandate granted.

No. 148. Delia Salzer, plaintiff in error, *v.* The United States of America et al. Continued, on motion of Mr. Assistant Attorney General Letts for the defendants in error.

No. 149. Isabelle Barnette, appellant, *v.* Wells Fargo Nevada National Bank of San Francisco et al. Submitted by Mr. R. P. Henshall and Mr. Wm. H. Chapman for the appellant and by Mr. F. de Journal and Mr. Sidney M. Ehrman for the appellees.

No. 137. Girard Trust Company et al., appellants, *v.* The United States. Argument continued by Mr. Alfred A. Wheat for the appellee, and concluded by Mr. J. C. Peacock for the appellants.

No. 138. Great Northern Railway Company, petitioner, *v.* Galbreath Cattle Company et al., etc. Argued by J. Parker Veazey, jr., for the petitioner, and by Mr. Samuel Herrick for the respondents.

No. 139. Sidney Mandelbaum, appellant, *v.* The United States of America. Argued by Mr. H. L. Bump for the appellant, and by Mr. Assistant Attorney General Letts for the appellee.

No. 142. George William Mottram, appellant, *v.* The United States. Argument commenced by Mr. Jennings C. Wise for the appellant. The court declined to hear further argument.

No. 141. Wisconsin Lime & Cement Company, Inc., plaintiff in error, *v.* The City of Chicago. Argument commenced by Mr. L. G. Caldwell for the defendant in error.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 18, will be as follows: Nos. 141, 143, 146, 147, 567, 462, 150, 151, 152, and 153.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Glenn W. Ruebush, of New York City; Frankland Briggs, of Newark, N. J.; Edwin Phillips Kohl, of New York City; I. W. Rountree, of Swainsboro, Ga.; Hugh Thomas Carter, of Washington, D. C.; Annie W. Hochfelder, of Brooklyn, N. Y.; Kathryn Van Leuven, of Oklahoma City, Okla.; Edward B. Downie, of Little Rock, Ark.; Charles W. Paltzer, of Chicago, Ill.; H. H. Phelps, of Duluth, Minn., and G. T. Abella, of Pagsanjan, P. I., were admitted to practice.

No. 91. The United States, appellant, *v.* St. Louis, San Francisco & Texas Railway Company; and

No. 92. The United States, appellant, *v.* Wabash Railway Company. Appeals from the Court of Claims. Judgments affirmed. Opinion by Mr. Justice Brandeis.

The Chief Justice also announced the following orders of the court:

No. 375. William H. Edwards, Collector of Internal Revenue, Second District of New York, petitioner, *v.* Chile Copper Company. Motion to advance granted, and cause assigned for argument on Monday, March 8 next, after the cases heretofore assigned for that day.

No. 470. The United States, appellant, *v.* John J. Mitchell et al., as Executors of the Last Will and Testament of Dellora R. Gates, deceased. Motion to advance granted, and cause assigned for argument on Monday, March 15, next, after the cases heretofore assigned for that day.

No. 44. Concrete Appliances Company et al., petitioners, *v.* John E. Gomery et al. Motion for order as to costs herein, denied.

No. 387. Arthur Vanderbilt and George Wilson, Receivers of the Southern Cotton Oil Company, plaintiffs in error, *v.* Atlantic Coast Line Railroad Company. In error to the Supreme Court of the State of North Carolina. Per curiam: Dismissed for want of jurisdiction upon the authority of Section 237 of the Judicial Code as amended by the Act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; Fullerton-Krueger Lumber Co. *v.* Northern Pac. Ry. Co., 266 U. S. 435, 436.

No. 729. Northern Cedar Company, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington et al.;

No. 730. Yakima County Horticultural Union, plaintiff in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington et al.; and

No. 731. C. W. Chamberlain & Company et al., plaintiffs in error, *v.* Frank H. Gloyd, as Director of Agriculture of the State of Washington et al. In error to the Supreme Court of the State of Washington. Per curiam: Dismissed for want of jurisdiction upon the authority of Louisiana Navigation Co. *v.* Oyster Commission, 226 U. S. 99, 101; Coe *v.* Armour Fertilizer Works, 237 U. S. 413, 418, 419; Gray's Harbor Logging Co. *v.* Coats-Fordney Logging Co., 243 U. S. 251, 255; Bruce *v.* Tobin, 245 U. S. 18, 19.

No. 847. The United States ex rel. Skinner & Eddy Corporation, petitioner, *v.* J. R. McCarl, Comptroller General of the United States. Petition for writ of certiorari to the Court of Appeals of the District of Columbia granted.

No. 836. The Yankton Sioux Tribe of Indians, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 839. Portneuf Marsh Valley Canal Company, petitioner, *v.* Howard W. Brown and John R. Chapin, as Trustees. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 842. Otto L. Morris, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 849. Lehigh Valley Railroad Company, petitioner, *v.* Anna Huben, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 850. Lehigh Valley Railroad Company, petitioner, *v.* Annie Beltz, as Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 854. Chicago & Northwestern Railway Company, petitioner, *v.* Augustus H. Bewsher. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

The Chief Justice also announced the following order of the court:

ORDER

In re disbarment of Norman T. Whitaker, John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, and Walter Holland.

Informations having been presented to this court against Norman T. Whitaker, John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, and Walter Holland, by John S. Flannery, a member of the bar of this court and chairman of the grievance committee of the Court of Appeals of the District of Columbia, setting forth charges against such persons—that they are unfit persons to continue as members of the bar of this court—and suggesting their disbarment, and the court having, in accordance with the suggestion of petitioner, issued rules against such persons to show cause why they should not be disbarred, and such persons informed against, except L. Grandin Grossman, having answered the rules to show cause,

It is now here ordered that the informations and the rules to show cause and the returns thereon, and the information against Grossman, upon which no return is made, as well as the exhibits attached to the papers, shall be referred to the Solicitor General, Mr. Stanton C. Peele and Mr. William G. Brantley, as a committee of the bar of this court, to consider the charges, the answers thereto by the returns, and the exhibits attached thereto, to make such inquiry into the matter as may be necessary or appropriate, and thereupon to make a report and recommendation respecting the final action to be taken herein.

No. 864. The United States, appellant, *v.* Pittsburgh & West Virginia Railway Company et al.; and

No. 865. Pittsburgh & West Virginia Railway Company et al., appellant, *v.* The United States. Motion to consolidate and advance submitted by Mr. Solicitor General Mitchell for the United States.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Motion for leave to file stipulation to amend record in this case submitted by Mr. Solicitor General Mitchell for the complainant.

No. 122. H. E. Crook Company, Inc., appellant, *v.* The United States. Leave granted to file additional authorities, on motion of Mr. Bynum E. Hinton for the appellant.

No. 584. The Liberty Warehouse Company, plaintiff in error, *v.* Burley Tobacco Growers Cooperative Marketing Association. Motion to advance submitted by Mr. Allan D. Cole for the plaintiff in error.

No. 767. Minneapolis & St. Louis Railway Company et al., appellants, *vs.* Peoria & Pekin Union Railway Company. Motion of appellant to remand this cause to the District Court of the United States for the Southern District of Iowa without decision, and with leave to file a bill of review, submitted by Mr. Donald Evans for the appellant.

No. 135. Armour & Company, petitioner, *v.* Fort Morgan Steamship Company, Limited, et al. Motion for leave to file additional brief for the petitioner submitted by Mr. Otto A. Schlobohm in behalf of counsel for the petitioner, and motion denied.

Nos. 339, 340, and 341. The United States of America, appellant, *v.* Harry Ritcey, Master of the British Schooner *Marjorie E. Bachman*, etc. Motion to advance submitted Mr. James A. Cobb in behalf of Mr. William H. Lewis and Mr. Matthew L. McGrath for the appellee.

No. 604. Hughes Bros. Timber Company, petitioner, *v.* State of Minnesota. Motion to advance submitted by Mr. H. H. Phelps, Mr. Clifford L. Hilton and Mr. G. A. Youngquist for the respondent.

No. 739. Mrs. Ida Hughes, plaintiff in error, *v.* The State of Georgia. In error to the Supreme Court of the State of Georgia. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 574. Chicago & Eastern Illinois Railway Company, plaintiff in error, *v.* Chicago Heights Terminal Transfer Railroad Company. Motion to dismiss or affirm submitted by Mr. Luther M. Walter, Mr. James D. Condon, and Mr. William E. Lamb for the defendant in error in support of the motion, and by Mr. Homer T. Dick and Mr. M. F. Gallagher for the plaintiff in error in opposition thereto.

No. 852. Alexander C. Shaw, Attorney in fact for N. R. Waterman, petitioner, *v.* Hubert Work, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. F. W. Clements for the petitioner, and by Mr. Solicitor General Mitchell, Mr. B. M. Parmenter, and Mr. H. L. Underwood, for the respondent.

No. 853. Arizona Commercial Mining Company, petitioner, *v.* Iron Cap Copper Company. Petition for a writ of certiorari to the Superior Court of Gila County, Ariz., submitted by Mr. Edward F. McClennen for the petitioner, and by Mr. John P. Gray and Mr. Burton E. Eames for the respondent.

No. 855. Mildred D. Holt, Edgar Daniel, Dollie Daniel Walker, et al., etc., petitioners, *v.* Daniel Sons & Palmer Company and Daniel Sons & Palmer Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Benjamin E. Pierce for the petitioner, and by Mr. Archibald B. Lovett for the respondent.

No. 856. Charles E. Schaff, as Receiver of the Properties of the Missouri, Kansas & Texas Railway Company, petitioner, *v.* Ella Daugherty, Administratrix and Personal Representative of the Estate of Emery Garfield Daugherty, deceased. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Joseph M. Bryson, Mr. Charles S. Burg, and Mr. Maurice D. Green for the petitioner, and by Mr. Frederick M. Miner for the respondent.

No. 857. The Straesser-Arnold Company, petitioner, *v.* The Franklin Sugar Refining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Claude U. Stone for the petitioner.

No. 858. John Mazukiewicz, petitioner, *v.* The Hanover National Bank of the City of New York. Petition for a writ of certiorari to the Court of Appeals of the State of New York submitted by Mr. Charles A. Frueauff for the petitioner, and by Mr. Percy S. Dudley for the respondent.

No. 859. American Refrigerator Transit Company et al., petitioners, *v.* Wabash Railway Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. A. De Gersdorff, Mr. T. H. Devine, Mr. M. U. Hayden, and Mr. Edward J. White for the petitioners, and by Mr. Winslow S. Pierce and Mr. Homer Hall for the respondent. Motion for leave to file intervening petitions submitted by Mr. North T. Gentry for the State of Missouri; by Mr. North T. Gentry in behalf of Mr. Dan Moody for the State of Texas; and by Mr. Edward L. Katzenbach for the State of New Jersey.

No. 141. Wisconsin Lime & Cement Company, Inc., plaintiff in error, *v.* City of Chicago. Argument concluded by Mr. Louis G. Caldwell for the defendant in error, and case submitted by Mr. James W. Good, Mr. Robert W. Childs, Mr. Dwight S. Bobb, Mr. James B. Wescott, Mr. Delbert A. Clithero, and Mr. F. M. Hartman for the plaintiff in error.

No. 143. Joseph B. Marsino, appellant, *v.* The United States of America et al. Argued by Mr. Assistant to the Attorney General Donovan for the appellee, and case submitted by Mr. Asa P. French and Mr. Leo A. Rogers for the appellant, with leave to counsel for the appellant to file additional brief on or before Thursday next.

No. 146. Armin A. Schlesinger et al., plaintiffs in error, *v.* The State of Wisconsin et al. Argued by Mr. Charles F. Fawsett for the plaintiffs in error, and by Mr. F. E. Bump for the defendant in error.

No. 147. Isaac Wolfgang, plaintiff in error, *v.* The People of the State California et al. Argued by Mr. Ernest B. D. Spagnoli for the plaintiff in error, and case submitted by Mr. W. S. Webb for the defendant in error.

No. 567. Board of Public Utility Commissioners et al., etc., appellants, *v.* New York Telephone Company. Argument commenced by Mr. Thomas Brown for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, January 19, will be as follows: Nos. 567, 462, 150, 151, 152, 153, 154, 158, 160, and 161.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ella Daly Fleming, of Washington, D. C.; Max A. Sturm, of Jersey City, N. J.; William F. Noonan, of Glenwood Springs, Colo.; Philip De Witt Phair, of Presque Isle, Me.; Fred L. English, of St. Louis, Mo.; Sigmund W. David, of Chicago, Ill.; John Hamilton Bickett, jr., of San Antonio, Tex.; W. Clark King, of Brooklyn, N. Y.; and Nicolo Lombardo, of Cleveland, Ohio, were admitted to practice.

No. 154. Reba Fenwick, plaintiff in error, *v.* Orel J. Myers, Prosecuting Attorney, Darke County, Ohio. Continued.

No. 158. Randolph Henry, Trustee in Bankruptcy, etc., plaintiff in error, *v.* W. A. Irwin et al. Case passed for submission on brief within sixty days. Brief for plaintiff in error to be filed within thirty days and brief for defendant in error to be filed within sixty days, on motion of Mr. Harry St. George Tucker, in behalf of Mr. Randolph Henry for the plaintiff in error.

No. 567. Board of Public Utility Commissioners et al., etc., appellants, *v.* New York Telephone Company. Argument continued by Mr. Thomas Brown for the appellants, by Mr. C. M. Bracelen and Mr. Thomas G. Haight for the appellee, and concluded by Mr. Thomas Brown for the appellant.

No. 462. Harman W. McMahon, petitioner, *v.* Montour Railroad Company. Argued by Mr. J. T. Hoffman for the petitioner, and by Mr. Don Rose for the respondent.

No. 150. Chicago, Indianapolis and Louisville Railway Company et al., appellants, *v.* The United States of America et al. Argument commenced by Mr. C. C. Hine for the appellant, continued by Mr. Blackburn Esterline for the United States, by Mr. R. Granville Curry for the Interstate Commerce Commission, by Mr. E. S. Ballard

for Chicago, Lake Shore and South Bend Railway Company, and concluded by Mr. C. C. Hine for the appellant.

No. 151. City of Fort Smith, Arkansas, Fagan Bourland, as Mayor of said city, et al., appellants, *v.* Southwestern Bell Telephone Company. Argument commenced by Mr. V. M. Miles for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, January 20, will be as follows: Nos. 151, 152, 153, 160, 161, 162, 163, 164, 165 (and 166 and 167), 168.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ed L. Abington, of Poplar Bluff, Mo., and Carl C. Abington, of Poplar Bluff, Mo., were admitted to practice.

No. 256. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Motion for leave to file petition for a rehearing and for stay of mandate submitted by Mr. G. Carroll Todd in behalf of Mr. Dan Moody.

No. 655. Dan Bartoncini, plaintiff in error, *v.* The United States of America. Leave granted to extend time to file statement of points to be relied upon and designation of the parts of the record to be printed within one week from this date on motion of Mr. E. B. D. Spagnoli for the plaintiff in error.

No. 151. City of Fort Smith, Arkansas, et al., appellants, *v.* Southwestern Bell Telephone Company. Argument continued by Mr. Vincent M. Miles for the appellants, and concluded by Mr. E. W. Clausen for the appellee.

No. 152. Charles D. Cole et al., appellants, *v.* Norborne Land Drainage District of Carroll County et al. Argued by Mr. W. J. Henderson and Mr. Cyrus Crane for the appellants and by Mr. William A. Franken and Mr. S. J. Jones for the appellees.

No. 153. Wilbur Rogers, appellant, *v.* The United States. Argument commenced by Mr. Nathan William MacChesney for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, January 21, will be as follows: Nos. 153, 160, 161, 162, 163, 164, 165 (and 166 and 167), 168, 169, and 170 (and 171).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Blythe D. Watts, of Cleveland, Ohio, and Willis C. Hawley, of Salem, Oreg., were admitted to practice.

No. 153. Wilbur Rogers, appellant, *v.* The United States. Argument continued by Mr. Nathan William Mac Chesney for the appellant, by Mr. Blackburn Esterline for the appellee, and concluded by Mr. Nathan William Mac Chesney for the appellant.

No. 160. National Contracting Company, appellant, *v.* The United States. Argument commenced by Mr. Raymond M. Hudson for the appellant. Court declined to hear further argument.

No. 161. D. J. Burke, appellant, *v.* Monumental Division No. 52, Brotherhood of Locomotive Engineers, et al. Argument commenced by Mr. Cyrus G. Derr for the appellant. Court declined to hear further argument.

No. 162. General American Tank Car Corporation et al., appellants, *v.* Eudora S. Day, Sheriff and Ex-Officio Tax Collector for the Parish of East Baton Rouge, State of Louisiana. Argued by Mr. Sigmund W. David for the appellants, and by Mr. Harry B. Sneed for the appellee.

No. 163. The Virginian Railway Company, petitioner, *v.* A. J. Mullens. Argument commenced by Mr. H. T. Hall for the petitioner.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 22, 1926, will be as follows: Nos. 163, 164, 165 (and 166 and 167), 168, 169, 170 (and 171), 172, 173, 175, and 177.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Julian A. Richardson, of Austin, Tex.; Benjamin W. Miller, of Bogalusa, La.; Harry Green, of Newark, N. J.; Ilo Orleans, of New York City; Creekmore Wallace, of Sapulpa, Okla.; and Wirt T. Marks, jr., of Richmond, Va., were admitted to practice.

No. 163. The Virginian Railway Company, petitioner, *v.* A. J. Mullens. Argument continued by Mr. H. T. Hall for the petitioner, by Mr. J. Albert Toler for the respondent and concluded by Mr. W. H. T. Loyall for the petitioner.

No. 164. Sovereign Camp, of the Woodmen of the World, petitioner, *v.* Alice C. Shelton. Argued by Mr. John H. Bickett, jr., for the petitioner, no appearance for the respondent.

No. 167. Convoy Steamship Company, Limited, owner of the steamship *Willdomino*, her engines, boilers, etc., petitioner, *v.* Charles Pfizer & Company, Incorporated. On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit. Writ of certiorari dismissed on authority of counsel for the petitioner.

No. 165. Steamship *Willdomino*, her engines, boilers, etc., petitioner, *v.* Citro Chemical Company of America; and

No. 166. Steamship *Willdomino*, her engines, boilers, etc., petitioner, *v.* Charles Pfizer & Company, Limited. Argument commenced by Mr. George C. Sprague for the petitioner, continued by Mr. Francis Rawle for the petitioner, by Mr. D. Roger Englar for the respondents, and concluded by Mr. Francis Rawle for the petitioner.

No. 168. George Harrison, Trustee in Bankruptcy, of the Western Rope and Manufacturing Company, Bankrupt, petitioner, *v.* Anna B. Chamberlain. Argued by Mr. Philip Kates for the petitioner, and case submitted by Mr. Henry B. Martin for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, January 25, will be as follows: 169, 170 (and 171), 172, 173, 175, 177, 543 (and 593), 15 (and 16), 178, 179.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Daniel J. Levowitz, of New York City; Charles C. Scott, of Clarksburg, W. Va.; Ralph H. Mengel, of Reading, Pa.; John D. Kirkland, of Metter, Ga.; Jonathan H. Holmes, of New York City; I. P. Whitehead, of Lynchburg, Va.; Philip J. Wickser, of Buffalo, N. Y.; Kingman Brewster, of Washington, D. C.; George T. Stormont, of Washington, D. C.; Hugh Tullis, of Vidalia, La.; Laurens T. Kennedy, of Natchez, Miss.; Asa B. Kellogg, of New York City; Arthur W. Henderson, of Pittsburgh, Pa.; and Alexander T. Gordon, of Louisa, Va., were admitted to practice.

No. 122. H. E. Crook Company, Inc., appellant, *v.* The United States. Appeal from the Court of Claims. Decree affirmed. Opinion by Mr. Justice Holmes.

No. 139. Sidney Mandelbaum, appellant, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the Southern District of Iowa. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:

No. 584. The Liberty Warehouse Company, plaintiff in error, *v.* Burley Tobacco Growers Cooperative Marketing Association. Motion to advance denied.

No. 339, 340, and 341. The United States of America, appellant, *v.* Harry Ritcey, Master of the British Schooner *Marjorie E. Bachman*, bailee, etc., et al. Motion to advance denied.

No. 604. Hughes Bros. Timber Company, petitioner, *v.* State of Minnesota. Motion to advance granted, and cause assigned for argument on Monday, October 4, next, after the cases heretofore assigned for that day.

No. 864. The United States, appellant, *v.* The Pittsburgh and West Virginia Railway Company and The West Side Belt Railroad Company; and

No. 865. The Pittsburgh and West Virginia Railway Company and The West Side Belt Railroad Company, appellant, *v.* The United States. Motion to consolidate and advance granted, and cause assigned for argument on Monday, March 8 next, after the cases heretofore assigned for that day.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Motion for leave to file stipulation to amend the record herein granted.

No. 767. The Minneapolis & St. Louis Railroad Company and W. H. Bremner, its Receiver, appellants, *v.* Peoria & Pekin Union Railway Company. Further consideration of motion to remand this case to the United States District Court for the Southern District of Iowa postponed until the hearing of the case upon the appeal.

No. 256. Perry Browning, William Coleman, James E. Dale, et al., appellants, *v.* E. M. Hooper, E. A. McDonald, E. L. Bishop, et al. Motion of the Attorney General of Texas for leave to file a petition for rehearing in this case is granted. The petition to be filed within 30 days. Mandate to be stayed until action is taken upon the petition.

No. 15. Edgar S. Appleby et al., etc., plaintiffs in error, *v.* The City of New York et al.; and

No. 16. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, Commissioner of Docks, etc. ORDER: It is now here ordered by this court that these cases be, and they are hereby, reassigned for reargument on Monday, March 1, at the head of the call for that day in order that they may be heard before a full bench.

No. 852. Alexander C. Shaw, Attorney in fact for N. R. Waterman, petitioner, *v.* Hubert Work, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 853. Arizona Commercial Mining Company, petitioner, *v.* Iron Cap Copper Company. Petition for a writ of certiorari to the Superior Court of Gila County, Arizona, denied.

No. 855. Mildred D. Holt, Edgar Daniel, Dollie Daniel Walker et al., etc., petitioners, *v.* Daniel Sons and Palmer Company and Daniel Sons & Palmer Company et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 856. Charles E. Schaff, as Receiver, etc., petitioner, *v.* Ella Daugherty, Administratrix. Petition for a writ of certiorari to the Supreme Court of Oklahoma denied.

No. 857. The Straesser-Arnold Company, petitioner, *v.* The Franklin Sugar Refining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 858. John Mazukiewicz, petitioner, *v.* The Hanover National Bank of the City of New York. Petition for a writ of certiorari to the Court of Appeals of the State of New York denied.

No. 859. American Refrigerator Transit Company et al., petitioner, *v.* The Wabash Railway Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied. The motions for leave to intervene on behalf of the States of New Jersey, Missouri, and Texas are also denied.

No. 574. Chicago and Eastern Illinois Railway Company, plaintiff in error, *v.* Chicago Heights Terminal Transfer Railroad Company. In error to the Supreme Court of the State of Illinois. *Per curiam*: Dismissed for want of jurisdiction, upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrolton*, 252 U. S. 1, 5, 6. Petition for certiorari denied.

No. 141. Wisconsin Lime and Cement Company, Inc., plaintiff in error, *v.* City of Chicago. In error to the Supreme Court of the State of Illinois. *Per curiam*: Dismissed for want of jurisdiction, upon the authority of *Dibble v. Bellingham Bay Land Co.*, 163 U. S. 63, 69; *Dewey v. Des Moines*, 173 U. S. 193, 200; *Henkel v. Cincinnati*, 177 U. S. 170, 171; *Home for Incurables v. New York*, 187 U. S. 155, 158; *Fullerton v. Texas*, 196 U. S. 192, 194; *Marvin v. Trout*, 199 U. S. 212, 223; *Consolidated Turnpike Co. v. Norfolk Ry. Co.*, 228 U. S. 596.

No. 143. Joseph B. Marsino, appellant, *v.* The United States of America and James Higgins. Appeal from the District Court of the United States for the District of Massachusetts. *Per curiam*: Affirmed, upon the authority of *Ponzi v. Fessenden*, 258 U. S. 254.

No. 147. Isaac Wolfgang, plaintiff in error, *v.* The People of the State of California et al. In error to the Supreme Court of the State of California. *Per curiam*: Affirmed with costs, upon the authority of *Schwab v. Berggren*, 143 U. S. 442, 451; *Bezell v. State of Ohio et al.*, October term, 1925 (November 24, 1925), Nos. 247 and 248, and cases cited.

No. 151. City of Fort Smith, Arkansas, et al., appellant, *v.* Southwestern Bell Telephone Company. Appeal from the District Court of the United States for the Western District of Arkansas. *Per curiam*: Affirmed with costs, upon the authority of *Newton v. Consolidated Gas. Co.*, 258 U. S. 165, 175; *Galveston Electric Co. v. City of Galveston*, 258 U. S. 388, 395; *State of Missouri ex rel. Southwestern Bell Telephone Co. v. Public Service Commission of Missouri*, 262 U. S. 276, 287; *Georgia Ry. & Power Co. v. Railroad Commission of Georgia*, 262 U. S. 625, 631; *Bluefield Water Works & Improvement Co. v. Public Service Commission of West Virginia*, 263 U. S. 679, 690.

No. 160. National Contracting Company, appellant, *v.* The United States. Appeal from the Court of Claims. *Per curiam*: Affirmed, without opinion, for lack of any substantial reason for appeal; *Louisville Bedding Co. et al. v. United States*, October term, 1925 (October 26, 1925), Nos. 61 and 62.

No. 462. Harman W. McMahan, petitioner, *v.* Montour Railroad Company. On writ of certiorari to the Supreme Court of the State of Pennsylvania. *Per curiam*: Reversed with costs, upon the authority of *Southern Ry. Co. v. United States*, 222 U. S. 20; *Texas & Pacific Ry. Co. v. Rigsby*, 241 U. S. 33, 37.

No. 164. Sovereign Camp of the Woodmen of the World, petitioner, *v.* Alice C. Shelton. On writ of certiorari to the County Court of Frio County, State of Texas. *Per curiam*: Reversed with costs, upon the authority of *Royal Arcanum v. Green*, 237 U. S. 531; *Supreme Lodge, Knights of Pythias v. Meyer*, 265 U. S. 30; *Modern Woodmen of America v. Mixer*, 267 U. S. 544.

No. 161. D. J. Burke, appellant, *v.* Monumental Division No. 52, Brotherhood of Locomotive Engineers et al. Appeal from the United States Circuit Court of Appeals for the Fourth Circuit. *Per curiam*: Reversed with costs, with directions to dismiss the bill for lack of allegation disclosing any ground for Federal jurisdiction.

The Chief Justice also announced that the court will take a recess from Monday, February 1, until Monday, March 1 next.

No. 232. Frederick C. Hicks, Alien Property Custodian, appellant, *v.* Richard Mayer et al.;

No. 233. Richard Mayer, appellant, *v.* Frederick C. Hicks, Alien Property Custodian; and

No. **234**. Edwin Reis et al., appellants, *v.* Richard Mayer and Frederick C. Hicks, as Alien Property Custodian. Death of Frederick C. Hicks suggested and Howard Sutherland, present Alien Property Custodian, substituted as the party appellant in No. **232**, as a party appellee in Nos. **233** and **234**, on motion of Mr. Solicitor General Mitchell in that behalf.

No. **726**. The United States of America, plaintiff in error, *v.* Jacob Katz et al.; and

No. **727**. The United States of America, plaintiff in error, *v.* Jacob Katz et al. Motion to advance submitted by Mr. Solicitor General Mitchell for the plaintiff in error.

No. **718**. Edward F. Goltra, petitioner, *v.* Dwight F. Davis, Secretary of War et al. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. **311**. Seaboard Rice Milling Company, plaintiff in error, *v.* Chicago, Rock Island & Pacific Railway Company. Motion to affirm submitted by Mr. Thomas P. Littlepage in behalf of Mr. Lon O. Hocker, Mr. Frank H. Sullivan, Mr. W. F. Dickinson, Mr. Luther Burns, and Mr. M. L. Bell for the defendant in error in support of the motion, and by Mr. Alfred A. Hagerty for the plaintiff in error in opposition thereto.

No. **16**, original. State of Wisconsin, complainant, *v.* State of Illinois and Sanitary District of Chicago. Briefs on behalf of State of Illinois and Sanitary District of Chicago filed, on motion of Mr. Morton L. Cressy for the defendants.

No. **16**, original. State of Wisconsin, complainant, *v.* State of Illinois and Sanitary District of Chicago. Petitions for leave to intervene and for leave to file motion to dismiss the amended bill of complaint submitted by Mr. Daniel N. Kirby and Mr. Frank M. Thompson for the State of Tennessee; by Mr. Daniel N. Kirby and Mr. North T. Gentry for the State of Missouri; by Mr. Daniel N. Kirby and Mr. Frank E. Daugherty for the State of Kentucky, and by Mr. Daniel N. Kirby and Mr. Percy Saint for the State of Louisiana.

No. **543**. Mayor and Board of Aldermen of the Town of Vidalia, appellants, *v.* S. B. McNeely; and

No. **593**. S. B. McNeely, appellant, *v.* Mayor and Board of Aldermen of the Town of Vidalia. Leave granted to file brief of John Brunini as amicus curiae herein, on motion of Mr. Conrad H. Syme in that behalf.

No. **845**. Palmetto Fire Insurance Company, appellant, *v.* Harry L. Conn, as Superintendent of Insurance of the State of

Ohio. Motion to advance submitted by Mr. Milton C. Elliott in behalf of Mr. Hartwell Cabell, Mr. William O. Henderson, and Mr. Karl E. Burr for the appellant.

No. 171. James C. Davis, Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Resignation of James C. Davis, Director General of Railroads, and Andrew W. Mellon, as present Director General of Railroads, ordered substituted as the party petitioner, on motion of Mr. David H. Leake in that behalf.

No. 26, original. Commonwealth of Pennsylvania, complainant, *v.* The State of New Jersey et al. Leave granted to file motion to dismiss and answer of the defendants, on motion of Mr. Robert Ash in behalf of Mr. Edward L. Katzenbach and Mr. John R. Hardin, for the defendants.

No. 778. The State Industrial Board of the State of New York, petitioner, *v.* Terry and Tench Company, Inc., et al. Motion to advance submitted by Mr. J. S. Y. Ivins in behalf of Mr. Albert Ottinger, Mr. E. Clarence Aiken, and by Mr. William W. Dimmick for the petitioner.

No. 543. Mayor and Board of Aldermen of the Town of Vidalia, appellants, *v.* S. B. McNeely; and

No. 593. S. B. McNeely, appellant, *v.* Mayor and Board of Aldermen of the Town of Vidalia. Suggestion of the death of S. B. McNeely and motion to substitute Louisia McNeely as administratrix of the estate of S. B. McNeely, deceased, as the party appellee in No. 543, and the party appellant in No. 593, granted on motion of Mr. G. P. Bullis in that behalf.

No. 805. Southern Pacific Company, appellant, *v.* The United States. Petition for writ of certiorari herein submitted by Mr. William R. Harr and Mr. Charles H. Bates for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the respondent.

No. 844. Donner Steel Company, Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Henry H. Dinneen for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the respondent.

No. 861. Emily Beauchamp, Administratrix of the Estate of Ralph Beauchamp, deceased, petitioner, *v.* Michigan Central Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan submitted by Mr. Thomas J. Bresnahan and Mr. Elmer H. Groefsema for the petitioner, and by Mr. J. Walter Dohany and Mr. Frank E. Robson for the respondent.

No. 866. James F. Todd, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Moses Cohen for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 874. Morton Howard Marr, sometimes called Pat Marr, petitioner *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. J. K. Mahoney for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 875. Rosannah Brown et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Nathan A. Gibson, Mr. Joseph L. Hull, and Mr. Frank Montgomery for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Parmenter, and Mr. Harry L. Underwood for the respondent.

No. 322. Cities Service Oil Company, plaintiff in error, *v.* City of Marysville, Kansas, et al. In error to the Supreme Court of the State of Kansas. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 646. Everett Flint Damon, next friend of Lew Goon Wong, appellant, *v.* John T. Johnson, United States Immigration Commissioner at Boston, Massachusetts. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed with costs, on motion of counsel for the appellant.

No. 169. The United States of America, plaintiff in error, *v.* Solomon Noveck. Argued by Mr. Assistant to the Attorney General Donovan for the plaintiff in error, and by Mr. Ben A. Matthews for the defendant in error.

No. 170. The Chesapeake & Ohio Railroad Company, petitioner, *v.* Westinghouse, Church, Kerr and Company, Inc.; and

No. 171. Andrew W. Mellon, Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. Argument commenced by Mr. Sherlock Bronson for the petitioners, continued by Mr. Wirt T. Marks, jr., for the respondents, and concluded by Mr. David H. Leake for the petitioners.

No. 172. The United States of America, appellant, *v.* Khleber Miller Van Zandt et al. Argued by Mr. W. D. Smith and Mr. Alfred A. Wheat for the appellant, and case submitted by Mr. Ellis Douthit for the appellees.

No. 173. Frank K. Bowers, Collector of Internal Revenue for the Second District of New York, plaintiff in error, *v.* Kerbaugh-Empire Company. Argued by Assistant Attorney General Willebrandt for the plaintiff in error, and by Mr. Franklin Nevius for the defendant in error.

Adjourned until to-morrow at 12 o'clock.

Day call for Tuesday, January 26, will be as follows: Nos. 175, 177, 543 (and 593), 178, 179, 180, 187, 189, 190, and 191.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Thomas B. Adams, of Jacksonville, Fla.; A. L. Bulwinkle, of Gastonia, N. C.; and R. G. Sharpe, of Seattle, Wash., were admitted to practice.

No. —. *Ex parte*: In the matter of Henry L. Sherman. Motion to direct Clerk to amend roll of attorneys to show change of the name of Henry L. Scheuerman to "Henry L. Sherman" granted on motion of Mr. Harry F. Mela in that behalf.

No. 189. E. B. Engel, petitioner, *v.* J. O. Davenport et al. Submitted by H. W. Hutton for the petitioner, and by Mr. Edward J. McCutchen and Mr. Farnham P. Griffiths for the respondents.

No. 175. National Paper and Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc. Argued by Mr. Cornelius W. Wickersham for the plaintiff in error, and by Mr. Solicitor General Mitchell for the defendant in error.

No. 177. Emma White, appellant, *v.* The United States of America and Lucy Reeves. Argued by Mr. A. T. Gordon for the appellant, and by Mr. Solicitor General Mitchell for the appellees.

No. 543. Mayor and Board of Aldermen of the Town of Vidalia, appellant, *v.* Louisia McNeely, Administratrix, etc.; and

No. 593. Louisia McNeely, Administratrix, etc., appellant, *v.* Mayor and Board of Aldermen of the Town of Vidalia. Argument commenced by Mr. Hugh Tullis for Louisia McNeely, administratrix, continued by Mr. L. T. Kennedy for Louisia McNeely, administratrix, and by Mr. G. P. Bullis for the town of Vidalia.

Adjourned until to-morrow at 12 o'clock.

Day call for Wednesday, January 27, will be as follows: Nos. 543 (and 593), 178, 179, 180, 187, 190, 191, 196, and 203.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Gordon Saussy, of Savannah, Ga., was admitted to practice.

No. 211. The United States of America ex rel. Charles Newman, plaintiff in error, *v.* William C. Hecht, U. S. Marshal; and

No. 212. The United States of America ex rel. Lewis Fishlander, plaintiff in error, *v.* William C. Hecht, U. S. Marshal. Motion to transfer to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Alfred A. Wheat for the defendant in error.

No. 256. Perry Browning et al., appellants, *v.* E. M. Hooper et al. Leave granted to submit motion for leave to file brief as amici curiae in behalf of Brown-Crummer Investment Co. et al., on March 1 next, on motion of Mr. Chester I. Long in that behalf.

No. 927. Ben C. Jones and Company, plaintiff in error, *v.* The West Publishing Company. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Docketed and dismissed on motion of Mr. Tench T. Marye in behalf of counsel for the defendant in error.

No. 543. Mayor and Board of Aldermen of the Town of Vidalia, appellants, *v.* Louisia McNeely, Administratrix, etc.; and

No. 593. Louisia McNeely, Administratrix, etc., appellant, *v.* Mayor and Board of Aldermen of the Town of Vidalia. Argument continued by Mr. G. P. Bullis for the Town of Vidalia, and concluded by Mr. L. T. Kennedy for Louisia McNeely, administratrix, etc.

No. 178. The Chesapeake & Ohio Railway Company, petitioner, *v.* The A. F. Thompson Manufacturing Company. Argued by Mr. C. N. Davis for the petitioner, and by Mr. Harry Simms for the respondent.

No. 179. The Village of Euclid, Ohio, et al., appellants, *v.* Ambler Realty Company. Argued by Mr. James Metzbaum for the appellants, and by Mr. Newton D. Baker for the appellee.

Adjourned until to-morrow at 12 o'clock.

Day call for Thursday, January 28, will be as follows: Nos. 180, 187, 190, 191, 196, and 203.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Charles Aaron, of Chicago, Ill.; Lester A. Maris, of Ponca City, Okla.; and Bert Vandervelde, of Milwaukee, Wis., were admitted to practice.

No. 180. D. D. Roberts and G. A. Collins, plaintiffs in error, *v.* Town of Perry, Florida, et al. Argument commenced by Mr. Thomas B. Adams for the plaintiffs in error. Court declined to hear further argument.

No. 187. Oregon-Washington Railroad and Navigation Company, plaintiff in error, *v.* State of Washington. Argued by Mr. A. C. Spencer for the plaintiff in error, and by Mr. R. G. Sharpe for the defendant in error.

No. 190. Clarence H. Venner, appellant, *v.* The Michigan Central Railroad Company. Argued by Mr. Frederick A. Henry for the appellant, and by Mr. Samuel H. West for the appellee.

Adjourned until to-morrow at 12 o'clock.

Day call for Friday, January 29, will be as follows: Nos. 191, 196, and 203.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Violette N. Anderson, of Chicago, Ill., and O. E. Swan, of Muskogee, Okla., were admitted to practice.

No. 191. Henrietta First Moon, appellant, *v.* Starling White Tail et al. Argued by Mr. L. A. Maris for the appellant, and by Mr. Harry L. Underwood for the appellees.

No. 196. Towar Cotton Mills, Inc., appellant, *v.* The United States. Argued by Mr. Raymond M. Hudson for the appellant, and by Mr. Assistant Attorney General Galloway for the appellee.

No. 203. Missouri Pacific Railroad Company, petitioner, *v.* Byrd J. Boone. Argued by Mr. Merritt U. Hayden for the petitioner, and by Mr. Frederick L. English for the respondent.

Adjourned until Monday next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Butler, and Mr. Justice Stone.

Charles B. Dwight, of Honolulu, Hawaii; Oras A. Shaw, of Okemah, Okla.; Fred L. Van Dolsen, of Washington, D. C.; Frank I. Finkler, of New York City; Albert Arnold Brand, jr., of Chicago, Ill.; Donald Grant Hughes, of Minneapolis, Minn.; Joseph Bunn Ramsey, of Rocky Mount, N. C.; and John McIlhenny Smith, of Harrisburg, Pa., were admitted to practice.

No. 124. Millers' Indemnity Underwriters, plaintiff in error, *v.* Mrs. Nellie Boudreaux Braud (Mrs. E. J. Braud) and Ed. J. Braud. In error to the Supreme Court of the State of Texas. Judgment affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 47. The United States of America, appellant, *v.* Holt State Bank, Deposit Bank of Winona, Federal Land Bank of St. Paul, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed, and cause remanded to the District Court of the United States for the District of Montana. Opinion by Mr. Justice Van Devanter.

No. 152. Charles D. Cole, Mary Cole, Herman Noelker et al., appellants, *v.* Norborne Land Drainage District of Carroll County, Missouri; H. H. Franklin, L. Williams, et al., etc. Appeal from the District Court of the United States for the Western District of Missouri. Decree affirmed with costs. Opinion by Mr. Justice Holmes, announced by the Chief Justice.

No. 23, original. *Ex parte*: In the matter of the State of Maryland, petitioner. (Case A.) Petition for writ of mandamus granted. Should the judge of the District Court deem it proper to allow another amendment to the petition for removal, by which the averments necessary to bring the case within section 33 are supplied, he will be at liberty to do so. Otherwise the prosecution is to be remanded as upon a peremptory writ. Opinion by Mr. Chief Justice Taft.

No. 24, original. *Ex parte*: In the matter of The State of Maryland, petitioner. (Case B.) Petition for writ of mandamus.

granted, and rule made absolute. Opinion by Mr. Chief Justice Taft.

No. 25, original. *Ex parte*: In the matter of The State of Maryland, petitioner. (Case C.) Petition for writ of mandamus granted, and rule made absolute. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 16, original. State of Wisconsin, complainant, *v.* State of Illinois and Sanitary District of Chicago. The motions for leave to file intervening petitions on behalf of the States of Missouri, Kentucky, Tennessee, and Louisiana herein are granted.

No. 211. The United States of America, on the relation of Charlie Newman, plaintiff in error, *v.* William C. Hecht, United States Marshal, etc. In error to the District Court of the United States for the Southern District of New York. Transferred to the United States Circuit Court of Appeals for the Second Circuit.

No. 212. The United States of America, on the relation of Lewis Fishlander alias Lewis Wilson, plaintiff in error, *v.* William C. Hecht, United States Marshal. In error to the District Court of the United States for the Southern District of New York. Transferred to the United States Circuit Court of Appeals for the Second Circuit.

No. 726. The United States of America, plaintiff in error, *v.* Jacob Katz et al.; and

No. 727. The United States of America, plaintiff in error, *v.* Jacob Katz et al. Motion to advance granted, and cases assigned for argument on Monday, March 8 next, after the cases heretofore assigned for that day.

No. 718. Edward F. Goltra, petitioner, *v.* Dwight F. Davis, Secretary of War, et al. Motion to advance granted, and case assigned for argument on Monday, April 26 next.

No. 845. Palmetto Fire Insurance Company, appellant, *v.* Harry L. Conn, as Superintendent of Insurance of the State of Ohio. Motion to advance granted, and case assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 778. The State Industrial Board of the State of New York, petitioner, *v.* Terry and Tench Company, Inc., et al. Motion to advance granted, case placed upon the summary docket, and assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 805. Southern Pacific Company, appellant, *v.* The United States. Further consideration of petition for writ of certiorari

herein postponed to the hearing of the appeal. Case placed on the summary docket and assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 844. Donner Steel Company, Inc., petitinoer, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 861. Emily Beauchamp, Administratrix of the Estate of Ralph Beauchamp, deceased, petitioner, *v.* Michigan Central Railroad Company. Petition for writ of certiorari to the Supreme Court of the State of Michigan denied.

No. 866. James F. Todd, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 874. Morton Howard Marr, sometimes called Pat Marr, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 875. Rosannah Brown et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* People of the State of California. ORDER: It is now here ordered by this court that counsel for plaintiff in error file, as part of the record herein, printed copies of the petition for review presented to the Supreme Court of California on behalf of the plaintiff in error, Charlotte Anita Whitney.

No. 201. John H. Morse, appellant, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the appellee in support of the motion, and by Mr. John H. Morse *pro se*, in opposition thereto.

No. 296. The United States of America *v.* Arthur L. Backman, Master of the Schooner *Frances Louise*, etc. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 297. The United States of America, appellant, *v.* Arthur L. Backman, Master of the Schooner *Frances Louise*, etc. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 298. The United States of America, appellant, *v.* Arthur L. Backman, Master of the Schooner *Frances Louise*, etc. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 339. The United States of America, appellant, *v.* Harry Ritcey, Master of the British Schooner *Marjorie E. Bachman*, etc., et al. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 340. The United States of America, appellant, *v.* Harry Ritcey, Master of the British Schooner *Marjorie E. Bachman*, etc., et al. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 341. The United States of America, appellant, *v.* Harry Ritcey, Master of the British Schooner *Marjorie E. Bachman*, etc., et al. Appeal from the District Court of the United States for the District of Massachusetts. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 501. The United States, appellant, *v.* Southern Railway Company. Appeal from the Court of Claims. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 716. The United States of America, petitioner, *v.* Central Railroad Company of New Jersey. On writ of certiorari to the Court of Claims. Dismissed, and mandate granted, on motion of Mr. Solicitor General Mitchell for the petitioner.

No. 805. Southern Pacific Company, appellant, *v.* The United States. Motion to dismiss submitted by Mr. Solicitor General Mitchell for the appellee in support of the motion.

No. 741. Public Utilities Commission of Rhode Island et al., petitioners, *v.* Attleboro Steam & Electric Company. Motion to advance submitted by Mr. Arthur M. Allen, Mr. Charles T. Sisson, Mr. Roland W. Boyden, and Mr. Frank D. Comerford for the petitioners.

No. 223. James C. Davis, Agent and Director General of Railroads, petitioner, *v.* Abraham Weiss, Administrator, etc. Resignation of James C. Davis suggested, and Andrew W. Mellon as present Director General of Railroad substituted as the party petitioner, on motion of Mr. A. A. McLaughlin in that behalf.

No. 85. George H. Kelly et al., copartners, etc., appellants, *v.* Dwight F. Davis, Secretary of War of the United States of America, et al. Appeal from the District Court of the United States for the

Northern District of California. Dismissed with costs, and mandate granted, on motion of Mr. Eugene West in behalf of Mr. William F. Humphrey for the appellants.

No. 67. Burk-Waggoner Oil Association, plaintiff in error, *v.* George C. Hopkins, Collector of Internal Revenue for the Second District of Texas. Leave granted to file petition for rehearing, on motion of Mr. George Maurice Morris in behalf of Mr. Harry C. Weeks and Mr. Arnold R. Baar for the plaintiff in error.

No. 370. Ernest G. Miller, plaintiff in error, *v.* The City of Milwaukee. Death of Ernest G. Miller, suggested, and Fred A. Miller and Elise K. John, executors of the estate of Ernest G. Miller, deceased, substituted as the parties plaintiffs in error, on motion of Mr. John Walsh in behalf of Mr. A. W. Schutz for the plaintiffs in error.

No. 862. C. W. Britton, as Receiver of the Midland Packing Company, petitioner, *v.* Adam Andrews et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. C. M. Stilwill and Mr. H. H. Stipp for the petitioner, and by Mr. Robert Healy for the respondent.

No. 873. Rosario Maccieno, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Rufus S. Day for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Alfred A. Wheat for the respondent.

No. 878. Missouri Pacific Railroad Company, petitioner, *v.* M. S. Baldwin, Suing by Next Friend, Marcus Baldwin. Petition for writ of certiorari to the Supreme Court of the State of Texas, submitted by Mr. Joseph D. Frank and F. W. Wozencraft for the petitioner, and by Mr. S. P. Jones for the respondents.

No. 879. Yip Wah and Harry Tom, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank J. Hennessy and Mr. Marshall B. Woodworth for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Oscar R. Luhring, and Mr. Harry S. Ridgely for the respondents.

No. 887. New York Central Railroad Company, petitioner, *v.* Wheeling Can Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. John C. Palmer, jr., for the petitioner.

Adjourned until Monday, March 1 next, at 12 o'clock.

The day call for Monday, March 1st, will be as follows: Nos. 15 (and 16), 14 Original, 712 (and 804), 762 (and 824), 120 (and 790), 609, 521, 193 (and 670), 194, and 195.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford and Mr. Justice Stone.

Henry W. Jessup, of New York City; Arthur H. Hull, of Harrisburg, Pa.; Paul G. Smith, of Harrisburg, Pa.; William H. Sawyers, of Hinton, W. Va.; John R. Geyer, of Harrisburg, Pa.; Clarence M. Dinkins, of Washington, D. C.; William L. Woodward, of New York City; Henry C. Moses, of New Rochelle, N. Y.; George A. Meagher, of Seattle, Wash.; John Francis Anderson, of Washington, D. C.; Frank W. Morrison, of Worcester, Mass.; Edwin Johnston, of Pittsfield, Ill.; Ernest A. Gordon, of Boston, Mass.; Alfred S. Niles, of Baltimore, Md.; Oliver Senti, of St. Louis, Mo.; Robert E. Kavanaugh, of Peoria, Ill.; Gardner P. Lloyd, of Washington, D. C.; Harry C. Heyl, of Peoria, Ill.; Joseph O. Broussard, of Abbeville, La.; Rosa L. Loitman, of Boston, Mass.; Ida May Adams, of Los Angeles, Calif.; James Walter Scott, of San Francisco, Calif.; J. D. E. Meyer, of Charleston, S. C.; Solon W. Turk, of Tulsa, Okla.; Ernest H. Van Fossan, of Washington, D. C.; James G. Martin, of Wichita, Kansas; Thomas J. Green, of Lansing, Mich.; Hubert Victor Spike, of Lansing, Mich.; Charles P. Williams, of St. Louis, Mo.; Emily C. Holt, of New York City, and William S. Lewis, of Spokane, Washington, were admitted to practice.

No. 162. General American Tank Car Corporation, Elliott Jones & Company, Inc., Maryland Refining Company, et al., appellants, *v.* Eudora S. Day, Sheriff and Ex-officio Tax Collector for the Parish of East Baton Rouge, State of Louisiana. Appeal from the District Court of the United States for the Eastern District of Louisiana. Decree affirmed with costs. Opinion by Mr. Justice Stone.

No. 95. A. G. Risty et al., as County Commissioners et al., appellants, *v.* Chicago, Rock Island and Pacific Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the

District Court of the United States for the District of South Dakota. Opinion by Mr. Justice Stone.

No. 96. A. G. Risty et al., as County Commissioners et al., appellants, *v.* Chicago, Milwaukee & St. Paul Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of South Dakota. Opinion by Mr. Justice Stone.

No. 97. A. G. Risty et al., as County Commissioners et al., appellants, *v.* Chicago, Saint Paul, Minneapolis and Omaha Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of South Dakota. Opinion by Mr. Justice Stone.

No. 98. A. G. Risty et al., as County Commissioners, et al., appellants, *v.* Northern States Power Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of South Dakota. Opinion by Mr. Justice Stone.

No. 99. A. G. Risty et al., as County Commissioners et al., appellants, *v.* City of Sioux Falls. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the District of South Dakota, with directions to dismiss the plaintiff's bill. Opinion by Mr. Justice Stone.

No. 100. A. G. Risty et al., as County Commissioners et al., appellants, *v.* Great Northern Railway Company. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the District of South Dakota. Opinion by Mr. Justice Stone.

No. 196. Towar Cotton Mills, Inc., appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Stone.

No. 123. Chamberlain Machine Works, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 130. The United States of America, plaintiff in error, *v.* Isidor Cohn. In error to the District Court of the United States for the Northern District of Illinois. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 311. Seaboard Rice Milling Company, plaintiff in error, *v.* Chicago, Rock Island & Pacific Railway Company. In error to the District Court of the United States for the Eastern District of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 50. Fleischmann Construction Company and the National Surety Company, plaintiffs in error, *v.* The United States of America to the use of G. W. Forsberg, et al. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Virginia. Opinion by Mr. Justice Sanford.

No. 401. The United States, appellant, *v.* Reading Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this case.

No. 402. The Reading Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this case.

No. 403. The United States, appellant, *v.* Southern Railway Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this case.

No. 404. The United States, appellant, *v.* The St. Louis, Brownsville & Mexico Railway Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 398. The United States, appellant, *v.* The New York, New Haven & Hartford Railroad Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 399. The United States, appellant, *v.* Central New England Railway Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 400. The United States, appellant, *v.* The New England Steamship Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 499. The United States, appellant, *v.* Baltimore & Ohio Railroad Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 500. The United States, appellant, *v.* Baltimore & Ohio Railroad Company. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 36. Pere Marquette Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded to the Court of Claims for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Decree in favor of the State of Wisconsin, the costs to be equally divided between the parties. A form of decree to carry into effect the opinion of this court to be submitted within 30 days; failing which, a simple decree dismissing the bill will be entered. Opinion by Mr. Justice Sutherland.

No. 105. Midland Land and Improvement Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 119. Georgine Iselin, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and cause remanded to the Court of Claims for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 135. Armour & Company, petitioners, *v.* Fort Morgan Steamship Company, Limited, et al. On a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Louisiana. Opinion by Mr. Justice Brandeis. Mr. Justice Stone took no part in the consideration or decision of this cause.

No. 150. Chicago, Indianapolis and Louisville Railway Company et al., appellants, *v.* The United States of America et al. Appeal from the District Court of the United States for the District of Indiana. Decree affirmed. Opinion by Mr. Justice Brandeis. Mr. Justice Holmes took no part in the consideration or decision of this cause.

No. 170. The Chesapeake & Ohio Railway Company, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc.; and

No. 171. Andrew W. Mellon, Director General of Railroads, petitioner, *v.* Westinghouse, Church, Kerr & Company, Inc. On writs of certiorari to the Supreme Court of Appeals of the State of Virginia. Judgments affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 315. Marion & Rye Valley Railway Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brandeis.

No. 417. The Texas and Pacific Railway Company, appellant, *v.* Gulf, Colorado & Santa Fe Railway Company. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the Southern District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brandeis. Dissenting: Mr. Justice McReynolds.

No. 94. L. Littlejohn & Company, Inc.; General Silk Importing Company, et al., appellants, *v.* The United States of America. Appeal from the District Court of the United States for the Southern District of New York. Decree affirmed. Opinion by Mr. Justice McReynolds.

No. 134. E. C. F. Sanchez et al., appellants, *v.* Charles Deering et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of Florida. Opinion by Mr. Justice McReynolds.

No. 146. Armin A. Schlesinger et al., etc., plaintiffs in error, *v.* The State of Wisconsin and County of Milwaukee. In error to the Supreme Court of the State of Wisconsin. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice McReynolds. Mr. Justice Sanford concurs in the result. Dissenting: Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Stone.

No. 191. Henrietta First Moon, appellant, *v.* Starling White Tail and The United States of America. Appeal from the District Court of the United States for the Western District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Decree entered. Opinion by Mr. Justice Van Devanter. The parties to suggest within twenty days a form of decree giving effect to the conclusions of this court, and to present an agreed calculation of the value of so much of the 706 acres of land specified as has been sold.

No. 177. Emma White, appellant, *v.* The United States of America et al. Appeal from the District Court of the United States for the

Eastern District of Virginia. Decree affirmed. Opinion by Mr. Justice Holmes.

No. 201. John H. Morse, appellant, *v.* The United States. Appeal from the Court of Claims. Appeal dismissed. Opinion by Mr. Chief Justice Taft.

No. 805. Southern Pacific Company, appellant, *v.* The United States. Appeal from the Court of Claims. Appeal dismissed. Petition for writ of certiorari granted, and the cause set for hearing on the Summary Docket for October 4 next, after the cases heretofore assigned for that day. Opinion by Mr. Chief Justice Taft.

No. 87. Independent Wireless Telegraph Company, petitioner, *v.* Radio Corporation of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Petition for rehearing denied. The mandate in the case to be amended in conformity with the opinion this day rendered. Opinion by Mr. Chief Justice Taft.

No. 115. The Interocean Oil Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 153. Wilbur Rogers, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 328 and 329. Cincinnati, Indianapolis & Western Railroad Company, appellant, *v.* Indianapolis Union Railway Company et al. Appeals from the District Court of the United States for the Southern District of Ohio. Decrees reversed with costs, and the causes remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 320. H. Ely Goldsmith, Certified Public Accountant of the State of New York, plaintiff in error, *v.* United States Board of Tax Appeals. In error to the Court of Appeals of the District of Columbia. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 187. Oregon-Washington Railroad & Navigation Company, plaintiff in error, *v.* The State of Washington. In error to the Supreme Court of the State of Washington. Judgment reversed with costs, and the cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice McReynolds and Mr. Justice Sutherland.

No. 288. The United States, appellant, *v.* Swift & Company; and

No. 289. Swift & Company, appellant, *v.* The United States. Appeals from the Court of Claims. Judgment reversed, and the

cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 137. Girard Trust Company et al., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment reversed, and the cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 106. Rhode Island Hospital Trust Company, Executor of George Briggs, deceased, plaintiff in error, *v.* Rufus A. Doughton, Commissioner of Revenue of the State of North Carolina. In error to the Supreme Court of the State of North Carolina. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 741. Public Utilities Commission of Rhode Island et al., petitioners, *v.* Attleboro Steam & Electric Company. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 179. The Village of Euclid, Ohio, et al., appellants, *v.* Ambler Realty Company. This case is restored to the docket for reargument and assigned for Monday, October 4 next, after the cases heretofore assigned for that day.

No. 873. Rosario Maccieno, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Per curiam: Petition for certiorari granted and the judgment of the Circuit Court of Appeals reversed on confession of error by the Government, with directions to remand the case to the United States District Court for the Northern District of Ohio for a new trial.

No. 172. The United States of America, appellant, *v.* Khleber Miller Van Zandt et al. On appeal from the District Court of the United States for the Northern District of Texas. Per curiam: Dismissed for failure to file appeal in time as required by section 6 of the act of September 6, 1916, c. 448, 39 Stat. 727.

No. 175. National Paper & Type Company, plaintiff in error, *v.* Frank K. Bowers, Collector, etc. In error to the District Court of the United States for the Southern District of New York. Per curiam: Affirmed upon the authority of *W. E. Peck & Company, Inc., v. Lowe, Collector*, 247 U. S. 165; *United States Glue Co. v. Town of Oak Creek*, 247 U. S. 321; *Cornell v. Coyne*, 192 U. S. 418; *Turpin v.*

Burgess, Collector, 117 U. S. 504; *Pace v. Burgess*, Collector, 92 U. S. 372.

No. 180. D. D. Roberts and G. A. Collins, plaintiffs in error, *v. Town of Perry, Florida*, et al. In error to the Supreme Court of the State of Florida. Per curiam: Dismissed for want of any ground for federal jurisdiction, there having been no lack of opportunity for a hearing on the merits of the assessment, upon the authority of *Hetrick v. Village of Lindsay*, 265 U. S. 384; and there having been no contract within the meaning of Article I, section 10 of the Constitution, upon the authority of *Hunter v. City of Pittsburgh*, 207 U. S. 161, 176-177; (2) *New Orleans v. New Orleans Water Works Company*, 142 U. S. 79, 87-88; *Gulf & Ship Island R. R. Co. v. Hewes*, 183 U. S. 66, 75.

No. 862. C. W. Britton, as Receiver of the Midland Packing Company, petitioner, *v. Adam Andrews et al.* Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 878. Missouri Pacific Railroad Company, petitioner, *v. M. S. Baldwin*, suing by next friend, Marcus Baldwin. Petition for writ of certiorari to the Supreme Court of the State of Texas denied.

No. 879. Yip Wah and Harry Tom, petitioners, *v. The United States of America*. Petition for writ of certiorari to the United State Circuit Court of Appeals for the Ninth Circuit denied.

No. 887. New York Central Railroad Company, petitioner, *v. Wheeling Can Company*. Petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 239. Sperry Gyroscope Company, appellant, *v. The Arma Engineering Company*. Leave granted to file brief of the United States as amicus curiæ on motion of Mr. Solicitor General Mitchell in that behalf.

No. 261. Hubert Work, Secretary of the Interior, appellant, *v. W. H. Mason*. Appeal from the Court of Appeals of the District of Columbia. Dismissed and mandate granted on motion of Mr. Solicitor General Mitchell for the appellant.

No. 345. Great Northern Railway Company et al., appellants, *v. Thomas W. Miller*, as Alien Property Custodian of the United States; and

No. 764. Die Deutsche Bank Filiale Nurnberg, petitioner, *v. Charles Franklin Humphrey*. Howard Sutherland, present Alien Property Custodian, substituted as the party appellee in No. 345, and as a party petitioner in No. 764, on motion of Mr. Solicitor General Mitchell in that behalf.

No. 464. The United States of America, appellant, *v.* General Electric Company et al. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellant.

No. 513. The United States of America ex rel. W. V. Hughes, appellant, *v.* Roy B. Gault, United States Marshal. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellee.

No. 831. The United States, appellant, *v.* The Central Railroad Company of New Jersey. Appeal from the Court of Claims. Dismissed and mandate granted on motion of Mr. Solicitor General Mitchell for the appellant.

No. 860. Toxaway Mills, petitioner, *v.* The United States;

No. 909. E. A. Edenfield, petitioner, *v.* The United States of America;

No. 952. John W. Thompson, petitioner, *v.* The United States of America; and

No. 968. Charles R. Forbes, petitioner, *v.* The United States of America. Leave granted to file briefs for the United States on motion of Mr. Solicitor General Mitchell in that behalf.

No. 635. Will Moore, Insurance Commissioner of the State of Oregon, appellant, *v.* Fidelity and Deposit Company of Maryland et al. Motion to advance submitted by Mr. C. L. McNary in behalf of counsel.

No. 256. Perry Browning et al., appellant, *v.* E. M. Hooper et al. Motion of Mr. Chester I. Long for leave to file brief of Brown-Crummer Investment Co. as amicus curiae in support of the petition for a rehearing submitted and motion denied. Motion of Mr. George S. Clay for leave to file brief as amici curiae in support of the petition for a rehearing submitted and motion denied. Motion of Mr. North T. Gentry for leave to file brief as amicus curiae on behalf of the State of Missouri in support of the petition for a rehearing submitted and motion denied. Motion of Mr. H. Victor Spike for leave to file brief as amicus curiae on behalf of the State of Michigan in support of the petition for a rehearing submitted and motion denied. Motion of Mr. John W. Davis for leave to file briefs as amici curiae on behalf of Mr. Andrew Squire of Cleveland, Ohio; the State of Florida; the State of Louisiana; Mr. Moorfield Storey, of Boston, Massachusetts; Mr. Henry E. Cutler and Mr. Horace S. Oakley, of Chicago, Illinois; Mr. Chester B. Masslich, of New York City; and Mr. Frank G. Gaines for the Sovereign Camp of the Woodmen of the World, in support of the petition for a rehearing submitted and motion denied.

No. —, original. Ex parte: In the matter of Benjamin Catchings, petitioner. Motion for leave to file motion for rule to show.

cause on the Secretary of State submitted by Mr. Benjamin Catchings *pro se*.

No. 272. James C. Davis, Director General, Agent U. S. Railroad Administration (Grand Rapids and Indiana Railroad), appellant, *v.* Michigan Trust Company, Receiver, etc. Andrew W. Mellon, as Director General of Railroads substituted as the party appellant on motion of Mr. F. E. Andrews for the appellant.

No. —, original. *Ex parte*: William Buder, petitioner. Motion for leave to file petition for a writ of mandamus submitted by Mr. James T. Blair for the petitioner.

No. 870. Tyson and Brother, United Theater Ticket Offices, Inc., appellant, *v.* Joab H. Banton, as district attorney, etc., et al. Motion to advance submitted by Mr. Louis Marshall for the appellant.

No. —, original. State of Michigan, complainant, *v.* State of Illinois. Motion for leave to file bill of complaint submitted by Mr. Thomas J. Green for the complainant.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, county treasurer of the County of Cook, State of Illinois, etc. Motion to advance submitted by Mr. Frank S. Bright in behalf of counsel.

No. 678. Edmond Van Dyk, petitioner, *v.* William A. Young. Motion for leave to file petition for a rehearing beyond the time prescribed by the rule submitted by Mr. John W. Townsend in behalf William G. Cook for the petitioner, and motion denied.

No. 860. Toxaway Mills, petitioner, *v.* The United States. Leave granted to file brief of Johnson and Shores as *amici curiae*, on motion of Mr. Mark J. Ryan in that behalf.

No. 301. Samuel W. Lambert, appellant, *v.* Edward C. Yellowley, as Acting Federal Prohibition Director et al. Resignation of William Hayward, as United States Attorney, suggested and motion to substitute Emory R. Buckner, present United States Attorney, as a party appellee granted on motion of Miss Emily C. Holt for the appellant.

No. 301. Samuel W. Lambert, appellant, *v.* Edward C. Yellowley, as Acting Federal Prohibition Director et al. Leave granted to file brief of the American Medical Society as *amicus curiae* on motion of Miss Emily C. Holt in that behalf.

No. 820. The State of Minnesota, petitioner, *v.* First National Bank of Saint Paul. Leave granted to print and file opposition to motion to advance on or before Friday next on motion of Mr. Walter Newton in behalf of counsel.

No. 967. The Massachusetts State Grange et al., appellant, *v.* Jay R. Benton, as Attorney General of the Commonwealth of Mas-

sachusetts et al. Motion to advance submitted by Mr. Frank W. Morrison for the appellants.

No. 663. Edward B. Graves et al., etc., et al., appellants, *v.* Cambria Steel Company et al. Motion to transfer case to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arthur C. Graves pro se, by Mr. Harson S. Graves for the appellants, in support of the motion, and by Mr. Richard H. Wilmer in behalf of Mr. Fred H. Wood for the appellees, in opposition thereto.

No. 908. The United States, petitioner, *v.* The Louisville & Nashville Railroad Company. Leave granted to file brief of respondent on or before March 12 on motion of Mr. Benjamin Carter in that behalf.

No. 235. Florida East Coast Railway Company, appellant, *v.* Baker & Holmes Company et al. Appeal from the District Court of the United States for the Southern District of Florida. Dismissed with costs on motion of counsel for the appellant.

No. 283. Charles H. Graves, plaintiff in error, *v.* The State of Minnesota. In error to the Supreme Court of the State of Minnesota. Dismissed with costs on motion of counsel for the plaintiff in error.

No. 356. Oscar T. Rullman, plaintiff in error, *v.* William W. Wheelock et al., Receivers, etc., et al. Dismissed pursuant to the Eleventh Rule.

No. 776. Michael McTernan, plaintiff in error, *v.* The City of Kansas City, Missouri. Motion to dismiss submitted by Mr. Jesse C. Petherbridge for the defendant in error in support of the motion and by Mr. James A. Reed and Mr. Francis C. Downey for the plaintiff in error in opposition thereto.

No. 846. Atlantic Coast Line Railroad Company, petitioner, *v.* George L. Wimberley, jr., administrator. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Thomas W. Davis for the petitioner and by Mr. Joseph B. Ramsey for the respondent.

No. 860. Toxaway Mills, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. James Craig Peacock and Mr. John W. Townsend for the petitioner and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 867. North German Lloyd, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Edgar W. Hunt for the petitioner and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Letts for the respondent.

No. 869. Dunkley Company, petitioner, *v.* Central California Canneries et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Fred L. Chappell for the petitioner and by Mr. Kemper Campbell and Mr. Frederick S. Lyon for the respondent.

No. 880. Federal Reserve Bank of San Francisco, petitioner, *v.* Idaho Grimm Alfalfa Seed Growers' Association. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Newton D. Baker for the petitioner and by Mr. Solon B. Clark for the respondent.

No. 881. Riley Fry and Ernest Brown, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Dore for the petitioners and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 882. Ernest Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John F. Dore for the petitioner and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 889. Scott Dillingham, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. T. Pope Shepherd for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 891. The People of the United States of America *ex rel.* Jacob Markin, petitioner, *v.* Henry H. Curran, United States Commissioner of Immigration at Ellis Island, New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Camden R. McAtee for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 893. Matt Collins, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. James D. Simms for the petitioner, and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 895. Cornell Steamboat Company, petitioner, *v.* George Slayne, Steam tug *Montauk*, and Long Island Railroad Company.

Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Woolsey and Mr. Robert S. Erskine for the petitioner, and by Mr. Chauncey I. Clark for the respondent.

No. 896. Cornell Steamboat Company, petitioner, *v.* Long Island Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. John M. Woolsey and Mr. Robert S. Erskine for the petitioner, and by Mr. Chauncey I. Clark for the respondent.

No. 897. Christie-Myers Feed Company, petitioner, *v.* Cleveland Grain & Milling Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Edward Grandison Smith for the petitioner, and by Mr. George N. Hoffheimer for the respondent.

No. 899. Con M. Sullivan, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. G. Wilson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 900. William Mann, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. E. G. Wilson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 901. Baltimore Steamship Company et al., petitioners, *v.* Vernon Phillips, an Infant, by Vernon Phillips, His Guardian ad litem. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell and Mr. Chauncey G. Parker for the petitioners, and by Mr. Vernon S. Jones for the respondent.

No. 905. Thomas B. Felder, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank P. Walsh for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant to the Attorney General Donovan, and Mr. Clifford H. Byrnes for the respondent.

No. 907. Samuel Marcusson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. M. Michael Edelstein for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Mahlon D. Kiefer for the respondent.

No. 908. The United States, petitioner, *v.* The Louisville and Nashville Railroad Company. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Mitchell and Mr. Assistant Attorney Galloway for the petitioner.

No. 909. E. A. Edenfield, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Frank H. Saffold for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Clifford H. Byrnes for the respondent.

No. 910. Mary Harrell, by her next friend, Zora C. Lannom, petitioner, *v.* The Prairie Oil & Gas Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by John J. Shea for the petitioner, and by Mr. Nathan A. Gibson, Mr. Joseph S. Hull, Mr. Thomas J. Flannelly, and Mr. Thomas S. Gibson for the respondent.

No. 919. Grayson C. Powell, Trustee, petitioner, *v.* U. R. Anderson, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Fred T. Saussy and Mr. I. W. Rountree for the petitioner.

No. 921. Federal Trade Commission, petitioner, *v.* American Tobacco Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell, Mr. Bayard T. Hainer, and Mr. Adrien F. Busick for the petitioner, and by Mr. Junius Parker and Mr. Jonathan H. Holmes for the respondent.

No. 922. Southern Pacific Company, petitioner, *v.* D. P. Trenholm, as Administrator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Ben C. Dey for the petitioner, and by Mr. Walter L. Tooze, jr., for the respondent.

No. 923. Andrew W. Mellon, as Director General of Railroads, petitioner, *v.* Leah M. Gray, Administratrix, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Merrill Shurtleff for the petitioner and by Mr. Hollis R. Bailey for the respondent.

No. 926. The Pennsylvania Railroad Company, petitioner, *v.* Anna Patterson, Administratrix, etc. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. Frederic D. McKenney and Mr. Robert D. Dalzell for the petitioner and by Mr. J. Thomas Hoffman for the respondent.

No. 928. Gould-Mersereau Company, petitioner, *v.* Williams Bros. Aircraft Corporation. Petition for a writ of certiorari to

the United States Circuit Court of Appeals for the Second Circuit submitted by Mr Ernest G. Metcalfe for the petitioner and by Mr. George L. Wilkinson for the respondent.

No. 929. The Northern Ohio Traction and Light Company, petitioner, *v.* Erie Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. C. Ellis Moore for the petitioner and by Mr. Edward A. Foote and Mr. Benjamin D. Holt for the respondent.

No. 931. The Chesapeake & Ohio Canal Company et al., petitioners, *v.* Great Falls Power Company. Petition for a writ of certiorari to the Supreme Court of Appeals for the State of Virginia submitted by Mr. James R. Caton for the petitioners and by Mr. John S. Barbour for the respondent.

No. 934. The United States of America ex rel. Abilene & Southern Railway Company, petitioner, *v.* Interstate Commerce Commission. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Alfred P. Thom, Mr. C. C. Carlin, Mr. Alfred P. Thom, jr., and Mr. M. Carter Hall for the petitioner and by Mr. P. J. Farrell for the respondent.

No. 935. The People of the State of New York et al., petitioners, *v.* M. Bright Wilson, et al., etc. Petition for a writ of certiorari to the United States Circuit of Appeals for the Second Circuit submitted by Mr. Albert Ottinger, and Mr. Robert P. Beyer for the petitioners, and by Mr. David W. Kahn for the respondent.

No. 936. Donner Steel Company, Inc., petitioner, *v.* Interstate Commerce Commission. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. John Lord O'Brian for the petitioner, and by Mr. P. J. Farrell for the respondent.

No. 939. James C. Waters, jr., petitioner, *v.* The Pullman Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. James C. Waters, jr., for the petitioner, and by Mr. Benjamin S. Minor, Mr. H. Prescott Gatley, Mr. Hugh B. Rowland, and Mr. Arthur P. Drury for the respondent.

No. 940. Missouri Pacific Railroad Company, petitioner, *v.* Charles Hendrix. Petition for a writ of certiorari to the Supreme Court of the State of Arkansas submitted by Mr. Thomas B. Pryor, Mr. Edward J. White, and Mr. Harry L. Ponder for the petitioner.

No. 941. Edward Wuichet, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Lee Warren James for the petitioner, and by Mr. Solicitor General

Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 943. Joseph M. Jones, Trustee in Bankruptcy, petitioner, *v.* John T. Ready, Bankrupt, et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Justin D. Bowersock for the petitioner.

No. 944. Maryland Casualty Company, petitioner, *v.* Community Building Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James A. Williams and Mr. Wm. C. Prentiss for the petitioner and by Mr. F. F. Post and Mr. Thomas Neill for the respondent.

No. 945. J. Raymond McCarl, Comptroller General of the United States et al., petitioners, *v.* John F. Cox. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. R. L. Golze for the petitioners, and by Mr. Henry C. Lank, Mr. John W. Price, and Mr. Joseph W. Cox for the respondent.

No. 946. Town of Bridgewater, Va., et al., petitioners, *v.* W. M. Jardine, Secretary of Agriculture of the United States. Petition for a writ of certiorari submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Parmenter, and Mr. Assistant Attorney General Underwood for the respondent.

No. 947. The United States of America ex rel. Helen Rauch, petitioner, *v.* James C. Davis, Director General of Railroads and Agent of the President. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. A. A. McLaughlin for the respondent.

No. 948. Richard J. Whittaker, as Administrator, etc., petitioner, *v.* United States Fidelity & Guaranty Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Joseph W. Cox and Mr. G. Carroll Todd for the petitioner, and by Mr. M. S. Gunn for the respondent.

No. 950. Christian J. Rasmussen, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Lane Summers for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgeley for the respondent.

No. 951. Globe and Rutgers Fire Insurance Company, petitioner, *v.* Winter Garden Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit

submitted by Mr. Joseph S. Auerbach and Mr. Martin A. Schenck for the petitioner, and by Mr. William J. Hughes for the respondent.

No. 952. John W. Thompson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James Hamilton Lewis, Mr. T. M. Pierce, Mr. A. M. Frumberg, and Mr. Randolph Laughlin for the petitioner and by Mr. Solicitor General Mitchell, Mr. Ralph F. Potter, and Mr. Harry S. Rudgeley for the respondent.

No. 954. Pickands, Mather and Company, petitioner, *v.* H. A. and D. W. Kuhn. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Horace Andrews for the petitioner, and by Mr. George H. Eichelberger for the respondent.

No. 956. William F. Pursglove, petitioner, *v.* Monongahela Railway Company. Petition for a writ of certiorari to the Supreme Court of the State of Pennsylvania submitted by Mr. David F. Anderson for the petitioner.

No. 960. Lehigh Valley Railroad Company, petitioner, *v.* Barbara Ciechowski. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas R. Wheeler for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 961. State Industrial Board of the State of New York et al., petitioner, *v.* Johnson Lighterage Company et al. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Albert Ottinger and Mr. E. Clarence Aiken for the petitioner, and by Mr. Bertrand L. Pettigrew and Mr. Walter L. Glenney for the respondent.

No. 963. Southern Surety Company of Oklahoma et al., petitioners, *v.* Nina H. Crawford et al. Petition for a writ of certiorari to the Court of Civil Appeals for the First Supreme Judicial District of the State of Texas submitted by Mr. Frank S. Anderson and Mr. H. C. Hughes for the petitioner, and by Mr. Maco Stewart and Mr. Brantly Harris for the respondent.

No. 966. The United States of America ex rel. A. H. Jarman, petitioner, *v.* Hubert Work, Secretary of the Interior. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. A. H. Jarman for the petitioner, and by Mr. Solicitor General Mitchell and Mr. O. H. Graves for the respondent.

No. 968. Charles R. Forbes, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. James S. Easby-Smith and Mr. Elwood G. Godman for the petitioner and by Mr. Solicitor General Mitchell and Mr. Ralph F. Potter for the respondent.

No. 969. Henry A. Wise, as Trustee in Bankruptcy of Christoffer Hannevig, petitioner, *v.* Russell Kettle, as Liquidator, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Saul S. Myers and Mr. William J. Hughes, jr., for the petitioner and by Mr. William St. John Tozer for the respondent.

No. 15. Edgar S. Appleby et al., plaintiffs in error, *v.* The City of New York et al.; and

No. 16. Edgar S. Appleby et al., plaintiffs in error, *v.* John T. Delaney, Commissioner of Docks of the City of New York. Argument commenced by Mr. Charles E. Hughes for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 2, will be as follows: Nos. 15, and 16, 14 Original, 712, and 804, 762, and 824, 120, and 790, 609, 521, 193 and 670, 194, 195.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Julius R. Nolte, of Clayton, Mo.; Hugh Reid, of Washington, D. C.; Warren H. Lewis, of Seattle, Wash.; Leslie A. Welch, of Kansas City, Mo.; Edward W. Wickey, of Washington, D. C.; James F. Hardin, of Shreveport, La.; James G. Strong, of Blue Rapids, Kans.; George E. Strong, of Washington, D. C.; Thomas E. Lodge, of Dover, Del.; Austin F. Canfield, of Washington, D. C.; J. Prentice Gross, of Dallas, Tex.; Edmund R. Beckwith, of New York City; Henry Adam Brown, of Washington, D. C.; Stephen A. Burnley, of Nashville, Tenn.; and Daniel H. Ortmeier, of Evansville, Ind., were admitted to practice.

No. 257. Chicago & North Western Railway Company, petitioner, *v.* Alvin R. Durham Company et al. Motion to dismiss writ of certiorari or to affirm judgment submitted by Mr. Joseph L. Hooper in behalf of Mr. Julius J. Patek for the respondent.

No. 26. First National Bank of Guthrie Center, Iowa, plaintiff in error, *v.* L. B. Anderson, County Auditor et al. Resignation of L. B. Anderson, as county auditor of Guthrie County, Iowa, suggested and Orlo D. Kanapp, his successor as county auditor of Guthrie County, Iowa, substituted as a party defendant in error, nunc pro tunc as of January 4, 1926, on motion of Mr. Thomas B. Littlepage in behalf of Mr. J. G. Gamble for the plaintiff in error.

No. 624. General Petroleum Corporation, plaintiff in error, *v.* County of Kern. Motion to advance submitted by Mr. Samuel Herrick for the defendant in error.

No. 346. Pauline Andre De La Mettrie et al., appellants, *v.* Elizabeth Pratt De Gasquet James et al.; and

No. 347. David Keane, Receiver, appellant, *v.* Elizabeth Pratt De Gasquet James et al. Death of Frederick C. Hicks, as Alien Property Custodian of the United States, suggested and Howard Suther-

land, as present Alien Property Custodian of the United States, substituted as a party appellee, on motion of Mr. Guy H. Johnson for the appellant.

No. 15. Edgar S. Appleby et al., Executors, etc., plaintiffs in error, *v.* The City of New York et al.; and

No. 16. Edgar S. Appleby and John S. Appleby, plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks of the City of New York. Reargument continued by Mr. Charles E. Hughes for the plaintiff in error, by Mr. Charles J. Nehrbas for the defendants in error and concluded by Mr. Charles E. Hughes for the plaintiff in error.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, as Collector of Internal Revenue, etc.; and

No. 804. William H. Edwards, as Collector of Internal Revenue, etc., petitioner, *v.* New York Life Insurance Company. Argument commenced by Mr. James H. McIntosh for the New York Life Insurance Company and continued by Mr. Alfred A. Wheat, for Edwards, collector.

Adjourned till to-morrow at 12 o'clock.

The day call for Wednesday, March 3, will be as follows: Nos. 712 (and 804), 14 original, 762 (and 824), 120 (and 790), 609, 521, 193 (and 670), 194, 195, and 198.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Oscar J. Smith, of Toledo, Ohio; Cashan P. Head, of Detroit, Mich.; Nathan A. Smyth, of New York City; Fred W. Breitingger, of Philadelphia, Pa.; and William B. Bowling, of La Fayette, Ala., were admitted to practice.

No. 288. The United States, appellant, *v.* Swift & Co.; and

No. 289. Swift & Co., appellant, *v.* The United States. Motion suggesting form of judgment granted on motion of Mr. G. Carroll Todd for Swift & Co.

No. 712. New York Life Insurance Co., petitioners, *v.* William H. Edwards, Collector, etc.; and

No. 804. William H. Edwards, Collector, etc., petitioners, *v.* New York Life Insurance Co. Argument continued by Mr. Alfred A. Wheat for the United States and concluded by Mr. James H. McIntosh for the New York Life Insurance Co.

No. 762. Joseph Jacob Tutun *v.* The United States of America; and

No. 824. Moritz Neuberger *v.* The United States of America. Argued by Mr. Louis Marshall for Tutun and Neuberger and by Mr. Assistant to the Attorney General Donovan for the United States.

No. 120. Ephraim Lederer, formerly Collector, etc., *v.* Mary A. McGarvey, Executrix; and

No. 790. The United States of America *v.* John E. Zerbey et al. Argument commenced by Assistant Attorney General Willebrandt for Lederer, collector, and the United States; continued by Mr. John W. Davis for Zerbey and the National Surety Company, by Mr. Levi Cooke for McGarvey, executrix, and concluded by Assistant Attorney General Willebrandt for Lederer and the United States.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Argument commenced by Mr. Christie Benet for the appellant.

Adjourned till to-morrow at 12 o'clock.

The day call for Thursday, March 4, will be as follows: Nos. 609, 14 original, 521, 193 (and 670), 194, 195, 198, 199, 200, and 201.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

George K. Bowden, of Chicago, Ill.; Edwin K. Cheadle, jr., of Lewistown, Mont.; Charles E. Woodward, of Ottawa, Ill.; Lee O'Neil Browne, of Ottawa, Ill.; Harold J. Bandy, of Granite City, Ill.; Edmund Burke, of Springfield, Ill.; Harry W. Henderson, of New York City; F. Joseph O'Neill, of Washington, D. C.; Howard E. Reinheimer, of New York City; Clarence Melvin Platt, of Rochester, N. Y.; Edwin A. Mooers, of Washington, D. C.; and John N. Breen, of Washington, D. C., were admitted to practice.

No. 908. The United States, petitioner, *v.* The Louisville and Nashville Railroad Company. On petition for writ of certiorari to the Court of Claims. Dismissed on motion of Mr. Alfred A. Wheat for the petitioner.

No. 262. Steve Super and Benjamin H. Wilder, appellants, *v.* Hubert Work, Secretary of the Interior, as a member of the Federal Power Commission, and Howard M. Gore, Secretary of Agriculture, etc. Resignation of Howard M. Gore as Secretary of Agriculture suggested and William M. Jardine, present Secretary of Agriculture, substituted as a party appellee on motion of Mr. Jennings C. Wise for the appellants.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Argument continued by Mr. Christie Benet for the appellant by Mr. Paul Shipman Andrews for the appellee and concluded by Mr. Challen B. Ellis for the appellant.

No. 14, original. Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Three hours allowed for the oral argument of this case. Argument commenced by Mr. Edwin H.

Abbot, jr., for the complainant; continued by Mr. Anson Getman for the State of New York, by Mr. Arthur E. Sutherland for the Ontario Beach Hotel and Amusement Company, and concluded by Mr. Edwin H. Abbot, jr., for the complainant.

Adjourned till to-morrow at 12 o'clock.

The day call for Friday, March 5, will be as follows: Nos. **521, 193 (and 670), 194, 195, 198, 199, 200, 202, 204, and 205.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ellsworth Jordan, of Pittsburgh, Pa.; Thos. J. Rowe, jr., of St. Louis, Mo.; Joseph T. Harrington, of Chicago, Ill.; Charles D. Hamel, of Washington, D. C.; and L. Dana Latham, of Washington, D. C., were admitted to practice.

No. 205. Missouri, Kansas & Texas Railway Company and United States Fidelity and Guaranty Company, plaintiffs in error, *v.* The State of Oklahoma and the City of McAlester, Oklahoma. Submitted by Mr. Joseph M. Bryson, Mr. Charles S. Burg, and by Mr. Maurice D. Green for the plaintiffs in error, and by Mr. William J. Horton and Mr. E. S. Ratliff for the defendants in error.

No. 521. Stanley F. Ashe, Warden of the State Penitentiary for the Western District of Pennsylvania, appellant, *v.* The United States of America *ex rel.* Joseph Valotta. Argument commenced by Mr. James O. Campbell for the appellant, and concluded by Mr. George R. Wallace for the appellee.

No. 193. Frank L. Smith, Cicero L. Lindly, et al., etc., et al., appellants, *v.* Illinois Bell Telephone Company; and

No. 670. Frank L. Smith, Cicero L. Lindly, et al., etc., appellants, *v.* Illinois Bell Telephone Company. Argument commenced by Mr. Harvey C. Heyl for the appellants, continued by Mr. William D. Bangs for the appellee, and concluded by Mr. R. H. Radley for the appellants.

No. 194. Old Colony Trust Company, as Trustee, appellant, *v.* The City of Seattle, County of King, et al., etc., et al. Argued by Mr. Howard A. Hanson for the city of Seattle and the county of King, and by Mr. George A. Meagher for Shields, as treasurer, etc., and case submitted by Mr. James B. Howe for the appellant.

No. 195. The State of Colorado, appellant, *v.* The United States of America, Interstate Commerce Commission, and the Colorado and Southern Railway Company. Argument commenced by Mr. Barney L. Whatley for the appellant, continued by Mr. Blackburn Esterline for the United States, and by Mr. R. Granville Curry for the Interstate Commerce Commission.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 8, will be as follows: Nos. 195, 198, 199, 200, 202, 204, 16 Original, 610, 375, 864 (and 865), and 726 (and 727).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Harold M. Wilkie, of Madison, Wis.; Raymond T. Jackson, of Mineral Point, Wis.; Sidney Kansas, of Washington, D. C.; Noel S. Symons, of Buffalo, N. Y.; Chester Ammen Snow, jr., of Washington, D. C.; Burt D. Whedon, of New York City; Alexander J. Feild, of New York City; Harper A. Holt, of New York City; Nathan E. Cook, of Cleveland, Ohio; John R. K. Scott, of Philadelphia, Pa.; Benjamin M. Golden, of Philadelphia, Pa.; George F. Brumm, of Minersville, Pa.; and Philip Charles Cocke, of Asheville, N. C., were admitted to practice.

No. 178. The Chesapeake & Ohio Railway Company, petitioner. *v.* The A. F. Thompson Manufacturing Company. On writ of certiorari to the Supreme Court of Appeals of the State of West Virginia. Judgment reversed with costs and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Stone.

No. 510. D. E. Weaver, Chief of the Bureau of Inspection in Pittsburgh of the Department of Labor and Industry of the Commonwealth of Pennsylvania, appellant. *v.* The Palmer Brothers Company. Appeal from the District Court of the United States for the Western District of Pennsylvania. Decree affirmed with costs. Opinion by Mr. Justice Butler. Dissenting: Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Stone.

No. 107. The Alexander Milburn Company, petitioner, *v.* Davis-Bournonville Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court: No.—, original. *Ex parte* in the Matter of Benjamin Catchings, petitioner. The motion for leave to file motion for rule to show cause on the Secretary of State is denied.

No.—, original. The State of Michigan, complainant, *v.* The State of Illinois. The motion for leave to file a bill of complaint in this cause is granted and process is ordered to issue returnable on Monday, October 4, next.

No. 663. Edward B. Graves et al., appellants, *v.* Cambria Steel Company et al. Appeal from the District Court of the United States for the Southern District of New York. The motion to transfer this case to the United States Circuit Court of Appeals for the Second Circuit is denied and the case is dismissed for failure of the appellants to comply with sections 2 and 9 of Rule 11.

No. 776. Michael McTernan, plaintiff in error, *v.* City of Kansas City, Missouri. Further consideration of the motion to dismiss this case is postponed to the hearing of the case on its merits. The case is advanced and assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 257. Chicago & North Western Railway Company, petitioner, *v.* Alvin R. Durham Company et al. The motion to dismiss or affirm this case is denied.

No. 513. The United States of America ex rel. W. V. Hughes, appellant, *v.* Roy B. Gault, United States Marshal. The motion to advance this case is granted and the case placed upon the summary docket and assigned for argument on Monday, April 19 next, after the cases heretofore assigned for that day.

No. 635. Will Moore, Insurance Commissioner of the State of Oregon, appellant, *v.* Fidelity and Deposit Company of Maryland et al. The motion to advance this case is denied and a rule is ordered to issue against the appellant, Moore, to show cause within 30 days from this date why the appeal should not be dismissed for lack of jurisdiction in this court.

No. 464. The United States of America, appellant, *v.* General Electric Company et al. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 870. Tyson and Brother—United Theatre Ticket Offices, Inc., appellant, *v.* Joab H. Banton, as District Attorney of the County of New York, State of New York, et al. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, County Treasurer of the County of Cook, State of Illinois, etc. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 967. The Massachusetts State Grange et al., appellants, *v.* Jay R. Benton, as Attorney General of the Commonwealth of Massachusetts, et al. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 624. General Petroleum Corporation, plaintiff in error, *v.* County of Kern. The motion to advance this case is granted and the case is assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 846. Atlantic Coast Line Railroad Company, petitioner, *v.* George L. Wimberley, Jr., Administrator, etc. Petition for writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 860. Toxaway Mills, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims granted.

No. 901. Baltimore Steamship Company et al., petitioners, *v.* Vernon Phillips, an Infant, by Vernon Phillips, His Guardian ad litem. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 921. Federal Trade Commission, petitioner, *v.* American Tobacco Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 923. Andrew W. Mellon, as Director General of Railroads, petitioner, *v.* Leah M. Gray, Administratrix of the Estate of Glen E. Gray. Petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 867. North German Lloyd, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 869. Dunkley Company, petitioner, *v.* Central California Canneries et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 880. Federal Reserve Bank of San Francisco, petitioner, *v.* Idaho Grimm Alfalfa Seed Growers' Association. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 881. Riley Fry and Ernest Brown, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 882. Ernest Brown, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 889. Scott Dillingham, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 891. The People of the United States of America, ex rel. Jacob Markin, petitioner, *v.* Henry H. Curran, United States Commissioner, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 893. Matt Collins, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 895. Cornell Steamboat Company, petitioner, *v.* George Slayne et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 896. Cornell Steamboat Company, petitioner, *v.* Long Island Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 897. Christie-Myers Feed Company, petitioner, *v.* Cleveland Grain & Milling Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 899. Con M. Sullivan, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 900. William Mann, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 905. Thomas B. Felder, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 907. Samuel Marcusson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 910. Mary Harrell, by her next friend, Zora C. Lannon, petitioner, *v.* The Prairie Oil & Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 919. Grayson C. Powell, Trustee, petitioner, *v.* U. R. Anderson, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 922. Southern Pacific Company, petitioner, *v.* D. P. Trenholm, as Administrator, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 926. The Pennsylvania Railroad Company, petitioner, *v.* Anna Patterson, Administratrix, etc. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 886. The United States of America, appellant, *v.* Freights, Sub-Freights, Charter Hire and/or Sub-Charter Hire of the S. S. *Mount Shasta*. Leave granted to file Statement of points relied upon nunc pro tunc as of January 27, 1926, on motion of Mr. Solicitor General Mitchell for the appellant.

No. 343. Fred L. Woodworth, Collector of Internal Revenue, plaintiff in error, *v.* Jacob Frey. In error to the District Court of the United States for the Eastern District of Michigan. Dismissed with costs and mandate granted on motion of Mr. Solicitor General Mitchell for the plaintiff in error.

No. 288. The United States, appellant, *v.* Swift and Company; and

No. 289. Swift and Company, appellant, *v.* The United States. Mandate granted on motion of Mr. G. Carroll Todd for Swift and Company.

No. 820. The State of Minnesota, petitioner, *v.* First National Bank of St. Paul. Motion to advance submitted by Mr. Clifford L. Hilton, Mr. G. A. Youngquist, and Mr. Patrick J. Ryan for the petitioner.

No. 636. First National Bank of Hartford, Wisconsin, plaintiff in error, *v.* The City of Hartford. Joint motion to advance submitted by Mr. Herman L. Ekern for the defendant in error and in behalf of counsel for the plaintiff in error.

16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and The Sanitary District of Chicago. Leave granted to file briefs of the States of Michigan and Indiana as amici curiae of Mr. C. S. Ferris in that behalf.

16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and The Sanitary District of Chicago. Leave granted to file briefs of the States of Michigan and Indiana as amici curiae on motion of Mr. Andrew B. Dougherty in that behalf.

No. 938. Chrysler Sales Corporation, appellant, *v.* W. Stanley Smith, Commissioner of Insurance of the State of Wisconsin. Motion to advance submitted by Mr. Herman L. Ekern for the appellee.

No. 937. Clark Motor Company, appellant, *v.* W. Stanley Smith, Commissioner of Insurance of the State of Wisconsin. Motion to advance submitted by Mr. Herman L. Ekern for the appellee.

No. 903. Chrysler Sales Corporation, appellant, *v.* Wilbur D. Spencer, Insurance Commissioner of the State of Maine. Motion to advance submitted by Mr. Herman L. Ekern in behalf of Mr. Raymond Fellows for the appellee.

No. 904. Utterbach-Gleason Company, appellant, *v.* Wilbur D. Spencer, Insurance Commissioner of the State of Maine. Motion to

advance submitted by Mr. Herman L. Ekern in behalf of Mr. Raymond Fellows for the appellee.

No. 845. Palmetto Fire Insurance Company, appellant, *v.* Harry L. Conn, as Superintendent of Insurance of the State of Ohio. Motion to reassign submitted by Mr. C. C. Crabbe for the appellee.

No. 888. Edward A. Noll, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Claims submitted by Mr. L. L. Hamby for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the respondent.

No. 918. The United States, petitioner, *v.* Edward P. Buckenmeyer. Petition for writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. John G. Ewing for the petitioner.

No. 933. Roger B. Wood, Trustee of Federal Line, Inc., petitioner *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Roscoe Fertich and Mr. Jennings C. Wise for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Arthur Cobb for the respondent.

No. 942. The Bank of Hawaii, Ltd., petitioner, *v.* Charles T. Wilder, Tax Assessor for the First Division of the Territory of Hawaii. Petition for certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Warren Gregory, Mr. Louis J. Warren, and Mr. Walter F. Frear for the petitioner.

No. 970. Archie Louis Hadsell and Clinton C. Coghlan, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Archie Louis Hadsell pro se and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 972. David W. Phillips, Collector of Internal Revenue for the Twelfth Pennsylvania District, petitioner, *v.* International Salt Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Solicitor General Mitchell for the petitioners and by Mr. Henry B. Twombly for the respondent.

No. 973. St. Louis-San Francisco Railway Company et al., petitioners, *v.* R. L. Cauthen. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. E. T. Miller, Mr. Thomas P. Littlepage, Mr. C. B. Stuart, Mr. J. G. Sharp, Mr. M. K. Cruce, and Mr. Ben Franklin for the petitioners and by Mr. P. C. Simons and Mr. R. W. Simons for the respondent.

No. 978. Samuel Ross, petitioner, *v.* Edward B. McLean. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Daniel Thew Wright and Mr. Philip Ershler for the petitioner and by Mr. Wilton J. Lambert and Mr. Rudolph H. Yeatman for the respondent.

No. 981. U. Sherman Joines, petitioner, *v.* William M. Patterson et al. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. William G. Davisson for the petitioner.

No. 982. Central State Bank of Corsicana, Texas, petitioner, *v.* The United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph Manson McCormick and Mr. Paul Carrington for the petitioner and by Mr. Walter F. Seay for the respondent.

No. 987. John Defore, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of General Sessions of New York County, State of New York, submitted by Mr. James Marshall for the petitioner and by Mr. Joab H. Banton and Mr. Felix C. Benvenga for the respondent.

No. 1020. Gerald Chapman, petitioner, *v.* H. K. W. Scott. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Ray M. Wiley for the petitioner and by Mr. Hugh M. Alcorn for the respondent.

No. 195. The State of Colorado, appellant, *v.* The United States of America, Interstate Commerce Commission, and The Colorado and Southern Railway Company. Argument continued by Mr. R. Granville Curry for the Interstate Commerce Commission, by Mr. Bruce Scott for The Colorado and Southern Railway Company, and concluded by Mr. Barney L. Whatley for the appellant.

No. 198. The Cherokee Nation, appellant, *v.* The United States. Argument commenced by Mr. Frank K. Nebeker for the appellant and concluded by Mr. Assistant Attorney General Galloway for the appellee.

No. 199. Harold Taylor, Trustee, etc., et al., petitioners, *v.* Harry W. Voss, Trustee. Argument commenced by Mr. D. H. Ortmeier for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 9, will be as follows: Nos. 199, 200, 202, 204, 16 original, 610, 375, 864 (and 865), 726 (and 727), and 206.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Walter Mandry, of Washington, D. C.; Harry P. Goldstein, of Salem, Mass.; Paul M. O'Donnell, of Chicago, Ill.; Loran P. Wittings, of Washington, D. C.; and Maurice L. Mendenhall, of Indianapolis, Ind., were admitted to practice.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Leave granted to file memorandum of counsel for appellant on motion of Mr. Wade H. Ellis in that behalf.

No. 199. Harold Taylor, Trustee, etc., et al., petitioners, *v.* Harry W. Voss, Trustee. Argument continued by Mr. D. H. Ortmeyer for the petitioners, by Mr. Henry B. Walker for the respondent, and concluded by Mr. D. H. Ortmeyer for the petitioners.

No. 200. Frank Moore, President of the Odd-Lot Cotton Exchange of New York, appellant, *v.* The New York Cotton Exchange et al. Argued by Mr. John M. Coleman for the appellant and by Mr. George W. Wickersham for the appellee.

No. 202. Charles C. Childers, State Auditor of the State of Oklahoma, appellant, *v.* John Beaver et al. Argued by Mr. J. Berry King for the appellant and by Mr. Joseph W. Howell for the appellees.

No. 204. South Fork Brewing Co. et al., appellants, *v.* The United States of America. Argument commenced by Mr. David V. Cahill for the appellants. Court declined to hear further argument.

16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Two hours and forty-five minutes allowed for the oral argument of this case on motion of Mr. James M. Beck in that behalf.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 10, will be as follows: Nos. 16, original, 610, 375, 864 (and 865), 726 (and 727), 206, 207, 209, 210, and 213.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

J. Howard Neely, of Mifflintown, Pa.; Hugh S. Johnson, of Moline, Ill.; Joseph F. M. Baldi, 2d, of Philadelphia, Pa.; Robert Alexis Green, of Starke, Fla.; Lowell Turrentine, of Cleveland, Ohio; Paul M. Segal, of Denver, Colo.; Reginald H. Waters, of Cumberland, Md.; Edward C. Lake, of De Queen, Ark.; William H. Baden, of Washington, D. C.; and Norris P. Crafts, of Omaha, Nebr., were admitted to practice.

16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Argument commenced by Mr. James M. Beck for defendant, the Sanitary District of Chicago, continued by Mr. Herman L. Ekern for complainant, the State of Wisconsin, by Mr. Newton D. Baker for complainant, the State of Ohio and the Great Lakes Carriers Association, by Mr. Hugh S. Johnson for defendant, the State of Illinois, and concluded by Mr. James M. Beck for defendant, the Sanitary District of Chicago.

No. **610**. Dwight Harrison, plaintiff in error, *v.* The State of Ohio. Argument commenced by Mr. Smith W. Bennett for the plaintiff in error, continued by Mr. John R. King for the defendant in error, and concluded by Mr. Robert R. Nevin for the plaintiff in error.

No. **375**. William H. Edwards, Collector, etc., petitioner, *v.* Chile Copper Company. Argument commenced by Assistant Attorney General Willebrandt for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 11, will be as follows: Nos. **375**, **864** (and **865**), **726** (and **727**), **206**, **207**, **209**, **210**, **213**, **214**, and **215**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Francis Bernard De Vine, of Ann Arbor, Mich.; John T. Brady, of Harrisburg, Pa.; Albert W. Brobst, of Wilkes-Barre, Pa.; and Harry W. Siegel, of Washington, D. C., were admitted to practice.

No. 375. William H. Edwards, Collector, petitioner, *v.* Chile Copper Co. Argument continued by Assistant Attorney General Willebrandt for the petitioner and concluded by Mr. Arthur A. Ballantine for the respondent.

No. 864. The United States, appellant, *v.* The Pittsburgh & West Virginia Ry. Co. et al., and

No. 865. The Pittsburgh & West Virginia Ry. Co. et al., appellants, *v.* The United States. Argued by Mr. Solicitor General Mitchell for the United States and by Mr. Harvey D. Jacob for the Pittsburgh & West Virginia Ry. Co. et al.

No. 726. The United States of America, plaintiff in error, *v.* Jacob Katz et al., and

No. 727. The United States of America, plaintiff in error, *v.* Jacob Katz et al. Argued by Assistant Attorney General Willebrandt for the plaintiffs in error and by Mr. William T. Connor for the defendants in error.

No. 206. James Patterson alias "Bossy" Patterson, plaintiff in error, *v.* The Commonwealth of Virginia. Submitted by Mr. William F. Denny for the plaintiff in error and by Mr. John R. Saunders and Mr. Lewis H. Machen for the defendant in error.

No. 207. Luckenbach Steamship Co., Inc., appellant, *v.* The United States. Argument commenced by Mr. C. C. Daniels for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 12, will be as follows: Nos. 207, 209, 210, 213, 214, 215, 218, 219, 220, and 222.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ethel F. Donaghue, of New York City; Pinckney L. E. Glantzberg, of New York City; Howard L. Doyle, of Decatur, Ill.; Richard F. Locke, of Glen Ellyn, Ill.; John D. W. Bodfish, of Hyannis, Mass.; Samuel Bitman, of Washington, D. C.; Russell B. Burt, of Chicago, Ill.; and Louis Fried, of Washington, D. C., were admitted to practice.

No. **215**. The Atchison, Topeka & Santa Fe Ry. Co., plaintiff in error, *v.* F. G. Button. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Dismissed with costs on motion of counsel for the plaintiff in error.

No. **207**. Luckenbach Steamship Co., Inc., appellant, *v.* The United States. Argument continued by Mr. C. C. Daniels for the appellant, by Mr. Peter S. Carter for the appellant, by Mr. Assistant Attorney General Galloway for the appellee, and concluded by Mr. Peter S. Carter for the appellant.

No. **209**. The State of Missouri *ex rel.* Leon Hurwitz, plaintiff in error, *v.* Emmett P. North, et al. Submitted by Mr. I. V. McPherson for the plaintiff in error, and by Mr. North T. Gentry and Mr. J. Henry Caruthers for the defendants in error.

No. **210**. Roberts and Schaefer Co., plaintiff in error, *v.* Louis L. Emmerson, as Secretary, etc. Leave granted to withdraw the appearances of Richard S. Doyle and Albert L. Hopkins, as counsel for the plaintiff in error on motion of Mr. Paul O'Donnell in that behalf. Argued by Mr. Paul O'Donnell for the plaintiff in error and by Mr. Bayard Lacey Catron for the defendant in error.

No. **213**. Reading Co., Successor of Philadelphia & Reading Ry. Co., petitioner, *v.* John L. Koons, Administrator. Argument commenced by Mr. John T. Brady for the petitioner and continued by Mr. John R. Geyer for the respondent.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, March 15, will be as follows: Nos. **213**, **214**, **218** (and **219**), **220**, **222**, **216**, **217**, **10**, **767**, **683** (and **684**), and **470**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Harry J. Meleski, of Worcester, Mass.; Frederic L. Ballard, of Philadelphia, Pa.; Clem J. Jones, of Athens, Tenn.; Albert B. Ferrera, of Portland, Oreg.; Summers Hardy, of Tulsa, Okla.; Alfred S. Knowlton, of Washington, D. C.; Maurice Klein, of Boston, Mass.; Frank B. Hoffman, of Washington, D. C.; Harry Samuel Gleick, of St. Louis, Mo.; William Matthews, of New York City; Eugene E. Horton, of Peoria, Ill.; Elmer T. Bell, of Washington, D. C., and M. A. Matthews, of Seattle, Wash., were admitted to practice.

No. 149. Isabelle Barnette, appellant, *v.* Wells Fargo Nevada National Bank of San Francisco, Fred G. Noyes, individually, and Fred G. Noyes, as Receiver, etc. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. Judgment affirmed with costs and cause remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone. Dissenting: Mr. Justice Brandeis and Mr. Justice Sanford.

No. 521. Stanley P. Ashe, Warden of the State Penitentiary for the Western District of Pennsylvania, appellant, *v.* The United States of America, ex rel. Joseph Valotta. Appeal from the District Court of the United States for the Western District of Pennsylvania. Final order reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 88. Fidelity and Deposit Company of Maryland, appellant, *v.* Ed. C. Tafoya, Chairman, and Hugh H. Williams and Bonifacio Montoya, Members, constituting the State Corporation Commission of New Mexico, et al. Appeal from the District Court of the

United States for the District of New Mexico. Decree reversed with costs and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McReynolds, Mr. Justice Brandeis, and Mr. Justice Sanford.

The Chief Justice announced the following orders of the court:

No. 845. Palmetto Fire Insurance Company, appellant, *v.* Harry L. Conn, Superintendent of Insurance of the State of Ohio. The motion to reassign this case is denied.

No. 820. The State of Minnesota, petitioner, *v.* First National Bank of St. Paul. Motion to advance granted and case assigned for argument with No. 377 when the latter case is reached in the regular call of the docket.

No. 636. First National Bank of Hartford, Wisconsin, plaintiff in error, *v.* City of Hartford and State of Wisconsin. Motion to advance granted and case assigned for argument with No. 377 when the latter case is reached in the regular call of the docket.

No. 938. Chrysler Sales Corporation, appellant, *v.* W. Stanley Smith, Commissioner of Insurance of the State of Wisconsin. Motion to advance granted and case assigned for argument with No. 845 heretofore advanced and assigned for Monday, October 4 next.

No. 937. Clark Motor Company, appellant, *v.* W. Stanley Smith, Commissioner of Insurance of the State of Wisconsin. Motion to advance granted and case assigned for argument with No. 845 heretofore advanced and assigned for Monday, October 4 next.

No. 903. Chrysler Sales Corporation, appellant, *v.* Wilbur D. Spencer, Insurance Commissioner of the State of Maine. Motion to advance granted and case assigned for argument with No. 845 heretofore advanced and assigned for Monday, October 4 next.

No. 904. Utterbach-Gleason Company, appellant, *v.* Wilbur D. Spencer, Insurance Commissioner of the State of Maine. Motion to advance granted and case assigned for argument with No. 845 heretofore advanced and assigned for Monday, October 4 next.

No. 909. E. A. Edenfield, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 928. Gould-Mersereau Company, petitioner, *v.* Williams Bros. Aircraft Corporation. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 972. David W. Phillips, Collector of Internal Revenue for the Twelfth Pennsylvania District, petitioner, *v.* International Salt Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 981. U. Sherman Joines, petitioner, *v.* William M. Patterson, Doroth A. McFarland, néé Patterson, Shelby A. Patterson, et al., etc. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 888. Edward A. Noll, petitioner, *v.* The United States of America. Petition for writ of certiorari to the Court of Claims denied.

No. 918. The United States, petitioner, *v.* Edward P. Buckenmeyer. Petition for writ of certiorari to the Court of Claims denied.

No. 929. The Northern Ohio Traction and Light Company, petitioner, *v.* Erie Railroad Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 931. The Chesapeake & Ohio Canal Company, George A. Colston and Herbert R. Preston, etc., petitioners, *v.* Great Falls Power Company. Petition for writ of certiorari to the Supreme Court of Appeals of the State of Virginia denied.

No. 933. Roger B. Wood, Trustee of Federal Line, Incorporated, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims denied.

No. 934. The United States of America, ex rel Abilene & Southern Railway Company, petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 935. The People of the State of New York and Frank H. Warder, as Superintendent of Banks of the State of New York, petitioners, *v.* M. Bright Wilson, Benjamin B. Mittler, and Walter D. Wile, as Trustees, etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 936. Donner Steel Co., Inc., petitioner, *v.* Interstate Commerce Commission. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 939. James C. Waters, Jr., petitioner, *v.* The Pullman Company. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 940. Missouri Pacific Railroad Company, petitioner, *v.* Charles Hendrix. Petition for writ of certiorari to the Supreme Court of the State of Arkansas denied.

No. 941. Edward Wuichet, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 942. The Bank of Hawaii, Ltd., petitioner, *v.* Charles T. Wilder, Tax Assessor for the First Taxation Division of the Territory of Hawaii. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 943. Joseph M. Jones, Trustee in Bankruptcy, petitioner, *v.* John T. Ready, Bankrupt, Edwin A. Harrison, and Floyd G. Van Osdell, Trustees, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 944. Maryland Casualty Company, petitioner, *v.* Community Building Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 945. J. Raymond McCarl, Comptroller General of the United States, et al., petitioners, *v.* John F. Cox. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 946. Town of Bridgewater, Virginia, Chesapeake Western Railway and The North River Electric Company, petitioners, *v.* W. M. Jardine, Secretary of Agriculture of the United States. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 947. The United States of America, ex rel. Helen Rauch, petitioner, *v.* James C. Davis, Director General of Railroads and Agent of the President. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 948. Richard J. Whittaker, as Administrator of the Estate of Thomas Commerford, deceased, petitioner, *v.* United States Fidelity & Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 950. Christian J. Rasmussen, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 951. Globe and Rutgers Fire Insurance Company, petitioner, *v.* Winter Garden Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 952. John W. Thompson, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 954. Pickands, Mather & Company, petitioner, *v.* H. A. and D. W. Kuhn. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 956. William F. Pursglove, petitioner, *v.* Monongahela Railway Company. Petition for writ of certiorari to the Supreme Court of the State of Pennsylvania denied.

No. 960. Lehigh Valley Railroad Company, petitioner, *v.* Barbara Ciechowski. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 961. State Industrial Board of the State of New York and Louis Anderson, petitioners, *v.* Johnson Lighterage Company and Employers' Liability Assurance Corporation, Ltd. Petition for writ of certiorari to the Supreme Court of the State of New York denied.

No. 963. Southern Surety Company of Oklahoma and Southern Surety Company of Iowa, petitioners, *v.* Nina H. Crawford, Roy H. Crawford, Marie Crawford Clay, et al. Petition for writ of certiorari to the Court of Civil Appeals, First Supreme Judicial District, State of Texas, denied.

No. 966. The United States of America ex rel. A. H. Jarman, petitioner, *v.* Hubert Work, Secretary of the Interior. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 968. Charles R. Forbes, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 969. Henry A. Wise, as Trustee in Bankruptcy of Christoffer Hannevig, petitioner, *v.* Russell Kettle, as Liquidator of the British American Continental Bank, Ltd., of London, England. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 970. Archie Louis Hadsell and Clinton C. Coghlan, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 973. St. Louis-San Francisco Railway Company, A. J. Anson, and R. Aaron, petitioners, *v.* R. L. Cauthen. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 978. Samuel Ross, petitioner, *v.* Edward B. McLean. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 982. Central State Bank of Corsicana, Texas, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 987. John Defore, petitioner, *v.* The People of the State of New York. Petition for writ of certiorari to the Court of General Sessions, New York County, State of New York denied.

No. 1020. Gerald Chapman, petitioner, *v.* H. K. W. Scott. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 204. South Fork Brewing Company, M. F. Murphy, George J. Breisinger, et al., appellants, *v.* The United States of America. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Per curiam: Affirmed upon the authority of *Washington Securities Co. v. United States*, 234 U. S. 76, 78; *Baker v. Schofield*, 243 U. S. 114, 118; *Southern Ry. Co. v. Puckett*, 244 U. S. 571, 574; *Piedmont & G. C. Coal Co. v. Seaboard Fisheries Co.*, 254 U. S. 1, 13.

No. 610. Dwight Harrison, plaintiff in error, *v.* The State of Ohio. In error to the Supreme Court of the State of Ohio. Per curiam: Affirmed upon the authority of *West v. Louisiana*, 194 U. S. 258; *Twining v. New Jersey*, 211 U. S. 78.

No. 206. James Patterson, alias "Bossy" Patterson, plaintiff in error, *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252, U. S. 1, 5-6.

The Chief Justice also announced that the court will take a recess from Monday, March 22, until Monday, April 12, next.

No. 17, original. The United States of America, complainant, *v.* The State of Minnesota. Time within which counsel may present proposed form of decree extended until May 15, next, on motion of Mr. Solicitor General Mitchell for the complainant.

No. 984. Independent Coal and Coke Company and Carbon County Land Company, petitioners, *v.* The United States of America

and Carbon County. Leave granted to file brief of the State of Utah as amicus curiae, on motion of Mr. Harvey H. Cluff in that behalf.

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. Reargument of this case is passed until Thursday next by reason of illness of counsel. Case set for reargument Thursday or ordered submitted on printed briefs if counsel do not appear on that day.

No. 218. Southern Railway Company, plaintiff in error, *v.* Commonwealth of Kentucky; and

No. 219. James C. Davis, Director General, plaintiff in error, *v.* Commonwealth of Kentucky. Andrew W. Mellon, present Director General of Railroads, substituted as a party plaintiff in error on motion of Mr. Edward P. Humphrey in that behalf.

No. 911. The Red Ball Transit Company, appellant, *v.* Charles C. Marshall, et al., etc. Motion for a temporary injunction submitted by Mr. Ewing H. Scott in behalf of Mr. George Hoadly and Mr. Benton S. Oppenheimer for the appellant in support of the motion and by Mr. C. C. Crabbe and Mr. John W. Bricker for the appellees in opposition thereto.

No. 386. George M. Napier, Attorney General of the State of Georgia, appellant, *v.* Atlantic Coast Line R. R. Co. Motion to advance submitted by Mr. Thomas Stevenson for the appellant.

No. 971. Marcella De Castro, lawful wife and heir, petitioner, *v.* Antonia Fernandez, as administratrix and as claimant good faith wife and heir et al., etc., et al. Petition for writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. Clement L. Bouvé for the petitioner.

No. 976. Gano Lee an incompetent person by his guardian and next friend, John F. Egan, petitioner, *v.* The March Oil Company. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Tom D. McKeown, Mr. Joseph C. Stone, and Mr. Charles A. Moon for the petitioner and by Mr. Thomas B. Lyons for the respondent.

No. 977. Salina Land Company, petitioner, *v.* The March Oil Company. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. Tom D. McKeown, Mr. Joseph C. Stone, and Mr. Charles A. Moon for the petitioner and by Mr. Thomas B. Lyons for the respondent.

No. 979. Andrew W. Mellon, Director General of Railroads, etc., petitioner, *v.* Oswald and Taube, a Partnership, etc. Petition for writ of certiorari to the Supreme Court of the State of Ohio. Submitted by Mr. George Hoadly and Mr. Edward Colston for the petitioner and by Mr. Alfred Bettman for the respondent.

No. 980. Mary C. Boland et al., petitioners, *v.* Elizabeth C. Hill et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Joseph D. Sullivan, Mr. Daniel W. O'Donoghue, and Mr. Arthur A. Alexander for the petitioners and by Mr. Leo P. Harlow for the respondents.

No. 984. Independent Coal and Coke and Carbon County Land Company, petitioners, *v.* The United States of America and Carbon County. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. William D. Riter and Mr. Frank K. Nebeker for the petitioners and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Parmenter, and Mr. Harry L. Underwood for the respondents.

No. 985. Edward C. Twist, petitioner, *v.* Prairie Oil and Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Submitted by Mr. D. Hayden Linebaugh for the petitioner.

No. 986. Edward C. Twist et al., petitioners, *v.* Prairie Oil and Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. D. Hayden Linebaugh for the petitioner.

No. 988. Missouri-Kansas-Texas Railway Company, petitioner, *v.* J. L. Carter. Petition for writ of certiorari to the Supreme Court of the State of Kansas submitted by Mr. W. W. Brown and Mr. Joseph M. Bryson for the petitioner and by Mr. Charles Stephens for the respondent.

No. 989. Dennis B. Chapin, petitioner, *v.* D. A. Walker, United States Marshal for the Western District of Texas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. C. M. Chambers for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry F. Ridgely for the respondent.

No. 990. Andrew W. Mellon, Director General of Railroads, etc., petitioner, *v.* John Hussey. Petition for writ of certiorari to the Court of Appeals of Hamilton County, State of Ohio, submitted by Mr. George Hoadly, Mr. Benton S. Oppenheimer, and Mr. Edward Colston for the petitioner, and by Mr. John C. Hermann for the respondent.

No. 991. S. J. Faircloth, petitioner, *v.* J. A. Lovett, Trustee in Bankruptcy of H. F. Lilly, Trading as H. F. Lilly and Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Daniel McDougald for the petitioner, and by Mr. Omer W. Franklin for the respondent.

No. 997. Dorothy Ferguson, petitioner, *v.* The District of Columbia. Petition for writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Harry A. Hegarty for the petitioner.

No. 998. Diana N. Weil, petitioner, *v.* Trustee in Bankruptcy of the Rambler Cafeteria, Inc., Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit, submitted by Mr. Jerome C. Jackson for the petitioner.

No. 999. Pan American Petroleum and Transport Company et al., petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank J. Hogan, Mr. Frederic R. Kellogg, Mr. Henry W. O'Melveny, and Mr. Walter K. Tuller for the petitioners and by Mr. Atlee Pomerene and Mr. Owen J. Roberts for the respondent.

No. 1000. Green River Gas Company, petitioner, *v.* R. A. White et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William Marshall Bullitt for the petitioner and by Mr. Augustus E. Willson for the respondents.

No. 1002. American Manufacturing Company, petitioner, *v.* The City of St. Louis. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. Mayner Wallace for the petitioner and by Mr. Oliver Senti for the respondent.

No. 1008. Mary M. Dowling, petitioner, *v.* Sam Collins, Prohibition Director of the State of Kentucky. Petition for writ of certiorari to United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Edward C. O'Rear, Mr. William T. Fowler, and Mr. Wallace Muir for the petitioner and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. John J. Byrne for the respondent.

No. 1014. Fort Worth and Denver City Railway Company, petitioner, *v.* Mrs. D. J. Stovall, Administratrix. Petition for writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District, State of Texas, submitted by Mr. Ellis Douthit for the petitioner.

No. 1015. Fort Worth and Denver City Railway Company, petitioner, *v.* J. W. Williams. Petition for writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District, State of Texas, submitted by Mr. Ellis Douthit for the petitioner.

No. 238. Durez Company, Inc., petitioner, *v.* Bakelite Corporation. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Dismissed with costs per stipulation of counsel.

No. 650. Dora E. Rooker and William V. Rooker, plaintiffs in error, *v.* Fidelity Trust Company, et al., etc. Motion to dismiss or affirm submitted by Mr. Charles W. Cox for the defendant in error in support of the motion and by Mr. William Velpeau Rooker for the plaintiffs in error in opposition thereto.

No. 213. Reading Company, Successor of Philadelphia & Reading Railway Company, petitioner, *v.* John L. Koons, Administrator. Argument concluded by Mr. John R. Geyer for the respondent.

No. 214. Pasquale Liberato et al., plaintiffs in error, *v.* S. A. Royer and Albert Herr, trading as Royer and Herr et al. Argument commenced by Mr. William Hamlin Neely for the plaintiffs in error, continued by Mr. Arthur H. Hull for the defendants in error, and concluded by Mr. Paul A. Kunkel for the plaintiffs in error.

No. 218. Southern Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky, etc.; and

No. 219. Andrew W. Mellon, as Director General of Railroads, plaintiff in error, *v.* The Commonwealth of Kentucky, etc. Argument commenced by Mr. Edward P. Humphrey for the plaintiffs in error and continued by Mr. J. P. Hobson for the defendants in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, March 16, will be as follows: Nos. 218 (and 219), 220, 222, 216 (and 217), 767, 683 (and 684), 470, 223, 225, and 226.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

John W. Keith, of Boston, Mass.; Absalom M. Cunningham, of Elkins, W. Va.; and Williston M. Cox, of Knoxville, Tenn., were admitted to practice.

No. 218. Southern Railway Company, plaintiff in error, *v.* The Commonwealth of Kentucky, etc.; and

No. 219. Andrew W. Mellon, as Director General of Railroads, plaintiff in error, *v.* The Commonwealth of Kentucky, etc. Argument concluded by Mr. J. P. Hobson for the defendant in error.

No. 220. Philip A. Lockett, appellant, *v.* Delpark, Incorporated, et al. Argument commenced by Mr. Thomas J. Johnston for the appellant, continued by Mr. Archibald Cox for the appellees, and concluded by Mr. Thomas J. Johnston for the appellant.

No. 222. The United States of America, plaintiff in error, *v.* The National Exchange Bank of Baltimore, Maryland. Argument commenced by Mr. Gardner P. Lloyd for the plaintiff in error, continued by Mr. G. Ridgely Sappington for the defendant in error, and concluded by Mr. Charles G. Baldwin for the defendant in error.

No. 216. The United States of America, plaintiff in error, *v.* The P. Leonig Coal Company; and

No. 217. The United States of America, plaintiff in error, *v.* Michigan Portland Cement Company. Argument commenced by Mr. Blackburn Esterline for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, March 17, will be as follows: Nos. 216 (and 217), 767, 683 (and 684), 470, 223, 225, 226, 228, 229, and 230.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Stafford Smith, of New York City; John Wilson Drye, jr., of New York City; Albert B. Hall, of Dallas, Tex.; Meyer Dworkin, of Bridgeport, Conn.; John H. Sherlock, of Omaha, Nebr.; and William R. P. Malony, of New York City, were admitted to practice.

No. 36. Pere Marquette Railway Company, appellant, *v.* The United States;

No. 401. The United States, appellant, *v.* Reading Company;

No. 402. Reading Company, appellant, *v.* The United States;

No. 403. The United States, appellant, *v.* Southern Railway Company, and

No. 404. The United States, appellant, *v.* The St. Louis, Brownsville and Mexico Railway Company. Mandates granted on motion of Mr. J. Harry Covington in that behalf.

No. 228. Millsaps College, plaintiff in error, *v.* The City of Jackson. Continued per stipulation of counsel.

No. 216. The United States of America, plaintiff in error, *v.* The P. Koenig Coal Company, and

No. 217. The United States of America, plaintiff in error, *v.* Michigan Portland Cement Company. Argument continued by Mr. Blackburn Esterline for the plaintiff in error, by Mr. Harold Goodman for the defendant in error in No. 216, and concluded by Mr. Hal H. Smith for the defendant in error in No. 217.

No. 767. The Minneapolis and St. Louis Railroad Company and W. H. Bremner, its Receiver, appellants, *v.* Peoria and Pekin Union Railway Company. Argued by Mr. Donald Evans for the appellants, and by Mr. Eugene E. Horton for the appellee.

No. **683**. Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator, etc., and

No. **684**. Chicago, Rock Island and Pacific Railway Company, petitioner, *v.* Fred A. Elder. Argument commenced by Mr. Edward S. Stringer for the petitioner and continued by Mr. Ernest A. Michel for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, March 18, will be as follows: Nos. **683** (and **684**), **10**, **470**, **223**, **225**, **226**, **229**, **230**, **231**, and **232** (and **233** and **234**).

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Robert Clare Faulston, of Wichita, Kans.; John Lewis Abbot, of Lynchburg, Va., and Algernon R. Clapp, of Philadelphia, Pa., were admitted to practice.

No. 683. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Clarence Y. Hope, deceased, and

No. 684. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Fred A. Elder. Argument concluded by Mr. Ernest A. Michel for the respondents.

No. 10. Charlotte Anita Whitney, plaintiff in error, *v.* The People of the State of California. Reargued by Mr. Walter H. Pollak for plaintiff in error, and by Mr. John H. Riordan for the defendants in error.

No. 470. The United States, appellant, *v.* John J. Mitchell et al., as Executors, etc. Argument commenced by Mr. Solicitor General Mitchell for the appellant, and continued by Mr. A. L. Humes for the appellees.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, March 19, will be as follows: Nos. 470, 223, 225, 226, 229, 230, 231, 232 (and 233 and 234), 237, and 239.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

William Tudor Gardiner, of Maine, and Terry Parker, of New York City, were admitted to practice.

No. **1013.** Clement Gunn, petitioner, *v.* The United States of America. Time within which to file brief for respondent extended to and including March 31 next on motion of Mr. Solicitor General Mitchel for the respondent.

No. **499.** The United States, appellant, *v.* Baltimore and Ohio Railroad Company; and

No. **500.** The United States, appellant, *v.* Baltimore and Ohio Railroad Company. Mandates granted on motion of Mr. John F. McCarron for the appellee.

No. **470.** The United States, appellant, *v.* John J. Mitchel et al., executors, etc. Argument concluded by Mr. A. L. Humes for the appellees.

No. **223.** Andrew W. Mellon, Agent and Director General of Railroads, petitioner, *v.* Abraham Weiss, administrator, etc. Argued by Mr. Arthur W. Blackman for the petitioner and by Mr. John W. Keith for the respondent.

No. **225.** Evansville Oil and Grease Company et al., appellants, *v.* Ivy L. Miller as State Food and Drug Commissioner of the State of Indiana. Argument commenced by Mr. Hubert B. Fuller for the appellants. The court declined to hear further argument.

No. **226.** Andrew G. Patterson et al., individually, etc., appellants, *v.* Mobile Gas Company. Argued by Mr. Hugh White for the appellants and Mr. Harry T. Smith for the appellee.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Thomas Gillespie Walsh, of Washington, D. C.; William Andrew Wallace, of Topeka, Kans.; John C. Tobin, of St. Louis, Mo.; Harry Frieberg, of Kansas City, Mo.; Jonathan C. Gibson, of Washington, D. C.; Michael J. Healy, of Topeka, Kans.; Walter King Sibbald, of Cincinnati, Ohio; Harold R. Smith, of Detroit, Mich.; John Jeffries, 5th, of Santa Barbara, Calif.; Maurice J. O'Sullivan, of Kansas City, Mo.; and Frederick W. Magrady, of Mount Carmel, Pa., were admitted to practice.

No. 203. Missouri Pacific Railroad Company, petitioner, *v.* Byrd J. Boone. On writ of certiorari to the St. Louis Court of Appeals, State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 22. Wesley M. Smith, appellant, *v.* W. P. McCullough, B. E. Beth, Thomas F. Phillips, et al. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Decree reversed with costs and cause remanded to the District Court of the United States for the Eastern District of Oklahoma for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 375. William H. Edwards, Collector of Internal Revenue, Second New York District, petitioner, *v.* Chile Copper Company. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Mr. Justice Sutherland took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the court:

No. 911. The Red Ball Transit Company, appellant, *v.* Charles C. Marshall et al., constituting the Public Utilities Commission of Ohio et al. Motion for temporary injunction in this case is denied.

No. 386. George M. Napier, Attorney General of the State of Georgia, appellant, *v.* Atlantic Coast Line Railroad Company. Motion to advance granted and case assigned for argument on Monday October 4 next after the cases heretofore assigned for that day.

No. 650. Dora E. Rooker and William V. Rooker, plaintiffs in error *v.* Fidelity Trust Company and Fidelity Trust Company as Trustee of the Estate of Dora E. Rooker. In error to the Supreme Court of the State of Indiana. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of February 13, 1925, c. 229, sec. 1(a), 43 Stat. 937, Rooker *v.* Fidelity Trust Co., 261 U. S. 114; Rooker *v.* Fidelity Trust Co., 263 U. S. 413. Petition for certiorari denied.

No. 225. Evansville Oil and Grease Company et al., appellants, *v.* Ivy L. Miller, as State Food and Drug Commissioner of the State of Indiana. Appeal from the District Court of the United States for the District of Indiana. Per curiam: Affirmed upon the authority of Texas Company *v.* Brown, 258 U. S. 466.

No. 997. Dorothy Ferguson, petitioner, *v.* The District of Columbia. On petition for writ of certiorari to the Court of Appeals of the District of Columbia. Per curiam: Denied for want of jurisdiction in this court under section 240 of the Judicial Code as amended by the act of February 13, 1925, c. 229, sec. 1(a), 43 Stat. 938, to issue a certiorari to review a refusal of a Justice of the Court of Appeals of the District of Columbia to allow a writ of error to the Police Court of the District of Columbia under the authority of the District of Columbia Code, sec. 227, 29 Stat. 607.

No. 16, original. The State of Wisconsin, complainant, *v.* State of Illinois and Sanitary District of Chicago. Per curiam: In view of the difficult questions arising on the record, we delay stating our conclusion until the case is made and all the facts are before us on the pleadings and the evidence. The motion to dismiss the bill is therefore overruled without prejudice to any question and with leave to proceed in due course. Kansas *v.* Colorado, 185 U. S. 125, 147.

No. 984. Independent Coal and Coke Company and Carbon County Land Company, petitioners, *v.* The United States of America and Carbon County. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 985. Edward C. Twist, petitioner, *v.* Prairie Oil & Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 986. Edward C. Twist, Albert T. Twist, and Jessie L. Payne, nee Twist, petitioners, *v.* Prairie Oil & Gas Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 999. Pan American Petroleum & Transport Company and Pan American Petroleum Company, petitioners, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 971. Marcella De Castro, lawful wife and heir, petitioner, *v.* Antonia Fernandez, as Administratrix and as claimant good faith wife and heir, Amada de los Reyes, as claimant heir, et al. Petition for writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 976. Gano Lee, an incompetent person, by his guardian and next friend, John F. Egan, petitioner, *v.* The March Oil Company. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 977. Salina Land, petitioner, *v.* The March Oil Company. Petition for writ of certiorari to the Supreme Court of the State of Oklahoma denied.

No. 979. Andrew W. Mellon, Director General of Railroads and Agent Appointed by the President under section 206(a) of the Transportation Act 1920, petitioner, *v.* Oswald & Taube, a Partnership Composed of Henry Oswald and Arthur G. Taube. Petition for writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 980. Mary C. Boland, Rose M. McAuliffe, Emma Pairo, et al., petitioners, *v.* Elizabeth C. Hill, Mary A. McCarthy, Elizabeth Dolan, et al. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 988. Missouri-Kansas-Texas Railway Company, petitioner, *v.* J. L. Tarter. Petition for writ of certiorari to the Supreme Court of the State of Kansas denied.

No. 989. Dennis B. Chapin, petitioner, *v.* D. A. Walker, United States Marshal for the Western District of Texas. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 990. Andrew W. Mellon, Director General of Railroads, and as Agent thereof under the laws of the United States, petitioner, *v.* John Hussey. Petition for writ of certiorari to the Court of Appeals of Hamilton County, State of Ohio, denied.

No. 991. S. J. Faircloth, petitioner, *v.* J. A. Lovett, Trustee in Bankruptcy of H. F. Lilly, Trading as H. F. Lilly & Company. Petition for writ of certiorari to the United States Circuit Court of Appeals of the Fifth Circuit denied.

No. 998. Diana N. Weil, petitioner, *v.* Trustee in Bankruptcy of the Rambler Cafeteria, Inc., Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1000. Green River Gas Company, petitioner, *v.* R. A. White and Vertie W. White. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1002. American Manufacturing Company, petitioner, *v.* The City of St. Louis. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1008. Mary M. Dowling, petitioner, *v.* Sam Collins, Prohibition Director of the State of Kentucky. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1014. Fort Worth & Denver City Railway Company, petitioner, *v.* Mrs. D. J. Stovall, Administratrix. Petition for writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District, State of Texas, denied.

No. 1015. Fort Worth & Denver City Railway Company, petitioner, *v.* J. W. Williams. Petition for writ of certiorari to the Court of Civil Appeals, Second Supreme Judicial District, State of Texas, denied.

No. 267. Patrick J. O'Shaughnessy et al., plaintiff in error, *v.* The United States of America. Motion to transfer case to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Solicitor General Mitchell for the defendant in error.

No. 318. Max Henkels, appellant, *v.* Thomas W. Miller, as Alien Property Custodian, and Frank White, as Treasurer of the United States of America. Resignation of Thomas W. Miller suggested and Howard Sutherland, present Alien Property Custodian, substituted as a party appellee on motion of Mr. Solicitor General Mitchell for the appellees.

No. 1061. The United States of America, plaintiff in error, *v.* John Ramsey and William K. Hale. Motion to advance granted and case assigned for argument on Monday, April 19 next, after the cases heretofore assigned for that day, on motion of Mr. Solicitor General Mitchell for the plaintiff in error.

No. 1060. Charles Barr, appellant, *v.* A. A. McCorkle, Warden and Keeper of the Tennessee State Penitentiary. Joint motion to transfer case to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William H. Swiggart for the appellee and in behalf of Mr. Grover McCormick for the appellant.

No. 1003. Benjamin T. Goldman, petitioner, *v.* John W. Christy et al. Leave granted to add the opinion of the Supreme Court of the State of Minnesota to the transcript of record in this case on motion of Mr. Jo V. Morgan in behalf of counsel for the respondent.

No. 871. A. J. Boyd, plaintiff in error, *v.* Hon. James D. Smythe, Judge of Henry County District Court, State of Iowa. Motion for supersedeas submitted by Mr. Lloyd L. Duke for the plaintiff in error.

No. 894. Winchester Repeating Arms Company, petitioner, *v.* The United States. Petition for writ of certiorari to the Court of Claims submitted by Mr. Frank S. Bright and Mr. H. Stanley Hinrichs for the petitioner and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the respondent.

No. 992. J. B. Nime, petitioner, *v.* Fire Association of Philadelphia. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Joseph Manson McCormick and Mr. Paul Carrington for the petitioner.

No. 994. Merchants Bank and Trust Company, petitioner, *v.* C. L. Thurman Motor Company et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. J. E. Alexander for the petitioner and by Mr. W. T. Kennerly for the respondent.

No. 995. The Lakewood Engineering Company, petitioner, *v.* Calvin H. Stein et al., etc. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Frank E. Dennett for the petitioner and by Mr. Rudolph William Lotz for the respondent.

No. 1001. Peter Madjorus, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Jonathan Taylor for the petitioner.

No. 1003. Benjamin T. Goldman, petitioner, *v.* John W. Christy et al. Petition for writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. George S. Grimes for the petitioner.

No. 1004. Hills Brothers, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank

P. Deering and Mr. Dana T. Ackerly for the petitioner and by Mr. Solicitor General Mitchell, Mr. Bayer T. Hainer, and Mr. Adrien F. Busick for the respondent.

No. 1005. Luckenbach Steamship Company, Incorporated, as Owner of the Steamship *Pleiades*, Her Engines, etc., petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Peter F. Carter for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. Dean Hill Stanley for the respondent.

No. 1006. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Loma Fruit Company and International Navigation Company, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. S. H. Bristow, Mr. William Mann, Mr. E. E. McInnis, and Mr. Homer W. Davis for the petitioner, and by Mr. Irving Miller for the respondents.

No. 1007. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Loma Fruit Company and G. Warren and Company, Ltd. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. S. H. Bristow, Mr. William Mann, Mr. E. E. McInnis, and Mr. Homer W. Davis for the petitioner, and by Mr. Irving Miller for the respondents.

No. 1011. DeForest Radio Telephone and Telegraph Company, petitioner, *v.* Edwin H. Armstrong and Westinghouse Electric and Manufacturing Company. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas G. Haight for the petitioner, and by Mr. Charles Neave for the respondents.

No. 1021. Moses E. Shire and Fannie F. Block, as Trustees, etc., petitioners, *v.* Fred E. Hummel as Trustee of the Estate of Gustave C. Strauss and Siegfried Strauss, Bankrupt. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles Leviton and Mr. Joseph Slottow for the petitioners and by Mr. Brode B. Davis and Mr. Charles R. Sercomb for the respondents.

No. 1024. Frank Hackethal, petitioner, *v.* The United States of America. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Harold J. Bandy and Mr. Edmund Burke for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1028. Lloyds, a corporation, as Treasurer of Lloyds Underwriters Syndicate No. 670 and Lloyds Underwriters Syndicate No. 671, etc., petitioner, *v.* Edith Bobe. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Herbert Barry, Mr. A. G. Thacher, and Mr. J. K. Symmers for the petitioner.

No. 1036. Benjamin Gratz, petitioner, *v.* James S. McKee et al., etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. S. Mayner Wallace for the petitioner.

No. 158. Randolph Henry, Trustee in Bankruptcy of the Estate of Free Service Pharmacy, Incorporated, Bankrupt, plaintiff in error, *v.* W. A. Irwin and Thomas E. Payne. Submitted on briefs pursuant to order of this court of January 19, 1926, by Mr. Randolph Henry for the plaintiff in error and by Mr. Harvey B. Apperson and Mr. Charles D. Fox, jr., for the defendants in error.

Adjourned until Monday, April 12 next.

The day call for Monday, April 12, will be as follows: Nos. 418 (and 674), 623, 612 (and 613), 229, 230, 231, 232 (and 233 and 234), 237, 239, and 240.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Louis G. Morten, of Jersey City, N. J.; Helen Hardman, of Los Angeles, Calif.; Pierson M. Hall, of Los Angeles, Calif.; Alfred N. Crandall, of Condersport, Pa.; Reuben Hall, of Boston, Mass.; William A. Perkins, of Charlottesville, Va.; Anthony V. Lynch, jr., of New York City; Karl Stecher, of Wichita, Kans.; H. Robert Burney, of New York City; Louis Mannheim, of New York City; Harris W. Coleman, of Louisville, Ky.; Ashby M. Warren, of Louisville, Ky.; Nathan A. Schatz, of Hartford, Conn.; and Army Moore Watkins, of Pittsburgh, Pa., were admitted to practice.

No. 209. The State of Missouri at the relation of Leon Hurwitz, plaintiff in error, *v. Emmett P. North, Franklin E. Murphy, Cortez F. Enlow, et al.* In error to the Supreme Court of the State of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 609. Hartsville Oil Mill, appellant, *v. The United States.* Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Stone. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 210. Roberts & Schaefer Company, plaintiff in error, *v. Louis L. Emmerson, as Secretary of State for the State of Illinois.* In error to the Supreme Court of the State of Illinois. Judgment affirmed with costs. Opinion by Mr. Justice Stone.

No. 213. Reading Company, Successor of Philadelphia & Reading Railway Company, petitioner, *v. John L. Koons, Administrator of Lester M. Koons.* On writ of certiorari to the Supreme Court of the State of Pennsylvania. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Stone.

No. 14, original. The Commonwealth of Massachusetts, complainant *v. The State of New York et al.* Decree for defendants, costs to be paid by complainant. The parties, or either of them, may,

within 30 days, submit a form of decree to carry this opinion into effect, failing which a decree dismissing the bill, with costs, will be entered. Opinion by Mr. Justice Stone.

No. 189. E. B. Engel, petitioner, *v.* J. O. Davenport et al. On writ of certiorari to the Supreme Court of the State of California. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 295. Henry P. Keith, Late Collector of United States Internal Revenue for the First Collection District of New York, petitioner, *v.* Emma B. Johnson, as Administratrix of the Goods, Chattels, and Credits which were of John B. Johnson, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 470. The United States, appellant, *v.* John J. Mitchell et al., as Executors of the Last Will and Testament of Dellora R. Gates, deceased. Appeal from the Court of Claims. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 142. George William Mottram, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 127. The Evansville and Bowling Green Packet Company, appellant, *v.* Chero Cola Bottling Company, National Produce Company, Raphael Brothers Dry Goods Company et al. Appeal from the District Court of the United States for the District of Indiana. Decree affirmed with costs. Opinion by Mr. Justice Butler.

No. 567. Board of Public Utility Commissioners and Harry V. Osborne, Joseph F. Autenreith, et al., etc., appellants, *v.* New York Telephone Company. Appeal from the District Court of the United States for the District of New Jersey. Decree affirmed with costs. Opinion by Mr. Justice Butler. (Mr. Justice Stone took no part in the consideration or decision of this case.)

No. 193 and 670. Frank L. Smith, Cicero J. Lindly, Hal. W. Trovillion et al., etc., et al., appellants, *v.* Illinois Bell Telephone Company. Appeals from the District Court of the United States for the Southern District of Illinois. No. 193, appeal dismissed with costs. No. 670, decree affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 200. Frank Moore, President of the Odd-Lot Cotton Exchange of New York, appellant, *v.* The New York Cotton Exchange, The

Western Union Telegraph Company, and the Gold & Stock Telegraph Company. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 683. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* A. D. Schendel, as Special Administrator of the Estate of Clarence Y. Hope, deceased; and

No. 684. Chicago, Rock Island & Pacific Railway Company, petitioner, *v.* Fred A. Elder. On writs of certiorari to the Supreme Court of the State of Minnesota. No. 683, judgment reversed with costs, and cause remanded to the Supreme Court of the State of Minnesota for further proceedings not inconsistent with the opinion of this Court. No. 684, judgment affirmed with costs. Opinion by Mr. Justice Sutherland.

No. 181. Frank A. Harrigan, Trustee of the Bankrupt Estate of the Louis J. Bergdoll Motor Company, petitioner, *v.* Louis J. Bergdoll, now known as Louis J. Bergson. On writ of certiorari to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 223. Andrew W. Mellon, Agent and Director General of Railroads, petitioner, *v.* Abraham Weiss, Administrator of the Estate of Nathan Nominsky. On writ of certiorari to the Municipal Court for the City of Boston, State of Massachusetts. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 762. Jacob Joseph Tutun *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the First Circuit, and

No. 824. Moritz Neuberger *v.* The United States of America. On certificate from the United States Circuit Court of Appeals for the Second Circuit. Questions answered: The Circuit Courts of Appeal have jurisdiction to review by appeal the order or decree of the District Court denying the petition to be admitted to citizenship in the United States. Opinion by Mr. Justice Brandeis.

No. 767. The Minneapolis & St. Louis Railroad Company and W. H. Bremmer, its Receiver, appellants, *v.* Peoria & Pekin Union Railway Company. Appeal from the District Court of the United States for the Southern District of Iowa. Decree affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 202. Charles C. Childers, State Auditor of the State of Oklahoma, appellant, *v.* John Beaver and Benjamin Quapaw. Appeal from the District Court of the United States for the Eastern District of Oklahoma. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 57. Great Northern Railway Company, petitioner, *v.* Charles W. Reed and Dora Reed, his wife. On writ of certiorari to the Supreme Court of the State of Washington. Decree reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Van Devanter.

Nos. 70 and 71. The Peoples' Natural Gas Company, plaintiff in error, *v.* The Public Service Commission of the Commonwealth of Pennsylvania, Johnstown Fuel Supply Company, and Joseph Caufield, etc. In error to the Supreme Court of the State of Pennsylvania. Judgments affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 214. Pasquale Liberato and Anna Capon Liberato, by their attorney in fact, Giovanni Disanto, plaintiffs in error, *v.* S. A. Royer and Albert Herr, Trading and doing business as Royer & Herr, et al. In error to the Supreme Court of the State of Pennsylvania. Judgment affirmed with costs. Opinion by Mr. Justice Holmes.

No. 222. The United States of America, plaintiff in error, *v.* The National Exchange Bank of Baltimore, Maryland. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the District of Maryland for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 198. The Cherokee Nation, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 220. Philip A. Lockett, appellant, *v.* Delpark, Incorporated, and Parker, Ford and Dick, Incorporated. Appeal from the District Court of the United States for the District of New Jersey. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 216. The United States of America, plaintiffs in error, *v.* The P. Koenig Coal Company. In error to the District Court of the United States for the Eastern District of Michigan. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

No. 217. The United States of America, plaintiff in error, *v.* Michigan Portland Cement Company. In error to the District

Court of the United States for the Eastern District of Michigan. Judgment reversed, and cause remanded for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

The Chief Justice also announced the following orders of the court:

No. 267. Patrick J. O'Shaughnessy et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Southern District of Alabama. Motion to transfer this case to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1060. Charles Barr, appellant, *v.* A. A. McCorkle, Warden and Keeper of the Tennessee State Penitentiary. Appeal from the District Court of the United States for the Middle District of Tennessee. Per curiam: Motion to transfer the appeal to the United States Circuit Court of Appeals for the Sixth Circuit denied upon the authority of the act of February 13, 1925, c. 229, sec. 13, 43 Stat. 942, and appeal dismissed for want of jurisdiction upon the authority of the act of February 13, 1925, c. 229, sec. 6 (a), 43 Stat. 940, and sec. 13, *supra*.

No. 871. A. J. Boyd, plaintiff in error, *v.* Hon. James D. Smythe, Judge of Henry County District Court, State of Iowa. In error to the Supreme Court of the State of Iowa. Per curiam: Application for a writ of supersedeas and for leave to file a bond denied; motion for leave to amend the petition in error denied, and the writ of error dismissed, for want of jurisdiction upon the authority of Iowa C. R. Co. *v.* Iowa, 160 U. S. 389, 393; Castillo *v.* McConnico, 168 U. S. 674, 683; Rawlins *v.* Georgia, 201 U. S. 638; Burt *v.* Smith, 203 U. S. 129; Standard Oil Co. *v.* Missouri, 224 U. S. 270, 281; DeBearn *v.* Safe Deposit & Trust Company, 233 U. S. 24, 34; McDonald *v.* Oregon R. R. & Nav. Co. 233 U. S. 665, 669, 670; Gasquet *v.* Lapeyre, 242 U. S. 367, 369, 370; (2) McCain *v.* Des Moines, 174 U. S. 168, 181; Western Union Tel. Co. *v.* Ann Arbor R. R. Co., 178 U. S. 239, 243; Spencer *v.* Duplan Silk Co. 191 U. S. 526, 530; Shulthis *v.* McDougal, 225 U. S. 561, 569; Hull *v.* Burr, 234 U. S. 712, 720; Norton *v.* Whiteside, 239 U. S. 144, 147.

No. 158. Randolph Henry, Trustee in Bankruptcy of the Estate of Free Service Pharmacy, Inc., Bankrupt, plaintiff in error, *v.* W. A. Irwin and Thomas E. Payne. In error to the Supreme Court of Appeals of the State of Virginia. Per curiam: Dismissed upon the authority of McCain *v.* Des Moines, 174 U. S. 128, 181; Western Union Tel. Co. *v.* Ann Arbor R. R. Co., 178 U. S. 239, 243; Spencer *v.* Duplan Silk Co. 191 U. S. 526, 530; Shulthis *v.* McDougal, 225 U. S. 561, 569; Hull *v.* Burr, 234 U. S. 712, 720; Norton *v.*

Whiteside, 239 U. S. 144, 147; (2) California Powder Works *v.* Davis & Co., 151 U. S. 389, 393; Gaar, Scott & Co. *v.* Shannon, 223, U. S. 468, 470; Consol. Turnpike Co. *v.* Norfolk & Ocean View R. R. Co. 228 U. S. 596, 599; Yazoo & Miss. Valley R. R. Co. *v.* Brewer, 231, U. S. 245, 249; Cuyahoga River Power Co. *v.* Northern Realty Co. 244 U. S. 300, 303; Municipal Securities Corp. *v.* Kansas City, 246 U. S. 63; Bilby *v.* Stewart, 246 U. S. 255, 257; Farson, Son & Co. *v.* Bird, 248 U. S. 268, 271.

No. 887. New York Central Railroad Company, petitioner, *v.* Wheeling Can Company. On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia. Order denying the petition for certiorari in this case of the date of March 1, 1926, is hereby vacated and it is ordered that a writ of certiorari shall issue thereby making consideration of the petition for rehearing herein unnecessary.

No. 894. Winchester Repeating Arms Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 992. J. B. Nime, petitioner, *v.* Fire Association of Philadelphia. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 994. Merchants Bank and Trust Company, petitioner, *v.* C. L. Thurman Motor Company and C. L. Thurman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 995. The Lakewood Engineering Company, petitioner, *v.* Calvin H. Stein, Henry A. Geisel, and Fred D. Stein, doing business, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1001. Peter Madjorus, petitioner, *v.* The State of Ohio. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 1003. Benjamin T. Goldman, petitioner, *v.* John W. Christy, James P. Thomson, Hattie S. Barber, et al. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota denied.

No. 1004. Hills Brothers, petitioner, *v.* Federal Trade Commission. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1005. Luckenbach Steamship Company, Inc., as owner of the Steamship *Pleiades*, her engines; etc., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1006. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Loma Fruit Company and International Navigation

Company, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1007. The Atchison, Topeka and Santa Fe Railway Company, petitioner, *v.* Loma Fruit Company and G. Warren and Company, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1011. De Forest Radio Telephone and Telegraph Company, petitioner, *v.* Edwin H. Armstrong and Westinghouse Electric and Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1021. Moses E. Shire and Fannie S. Block, as Trustees, etc., petitioners, *v.* Fred E. Hummel, as Trustee of the Estate of Gustave C. Strauss and Siegfried Strauss, bankrupts. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1024. Frank Hackethal, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1028. Lloyds, a Corporation as Treasurer of Lloyds Underwriters Syndicate No. 670 and Lloyds Underwriters Syndicate No. 671, etc., petitioners, *v.* Edith Bobe. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1036. Benjamin Gratz, petitioner, *v.* James S. McKee, Nellie Canon Bliven, Executrix of William E. Bliven, deceased, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 418. David H. Blair, Commissioner of Internal Revenue, and Burns Poe, Collector of Internal Revenue for the District of Washington, appellants, *v.* Joe Dukich. Appeal from the District Court of the United States for the Eastern District of Washington. Dismissed with costs and mandate granted on motion of Mr. Solicitor General Mitchell for the appellants.

No. 687. The United States, appellant, *v.* Metal Products Company. Appeal from the Court of Claims. Dismissed and mandate granted on motion of Mr. Solicitor General Mitchell for the appellant.

No. 801. Benjamin I. Salinger, jr., plaintiff in error, *v.* The United States. Motion to advance submitted by Mr. Solicitor General Mitchell for the defendant in error in support of the motion, and by Mr. Benjamin I. Salinger, Mr. Robert Healy, and Mr. Arthur F. Mullen for the plaintiff in error in opposition thereto.

No. 1056. Thomas K. Fisher et al., petitioners, *v.* The United States of America. Leave granted to file brief for the respondent on motion of Mr. Solicitor General Mitchell in that behalf.

No. 102. Rhederei M. Jebsen Company, appellant, *v.* The United States and

No. 103. The Firm of M. Jebsen, corresponding owner of the Steamship Company Carl Diederichsen for the use of Rhederei M. Jebsen Company, appellant, *v.* The United States. Joint request to restore these cases to the call submitted by Mr. Solicitor General Mitchell for the appellee and by Mr. Solicitor General Mitchell in behalf of Mr. William F. Norman for the appellants.

No. 1069. Middleton S. Borland, as Trustee in Bankruptcy of Knauth, Nachod, and Kuhne, petitioner, *v.* Carl Rochling et al., trading as Gebrueder Rochling. Suggestion of the death of Middleton S. Borland and the Equitable Trust Company of New York substituted as the party petitioner on motion of Mr. Godfrey Goldmark in that behalf.

No. 1116. Alexander Latzko et al., petitioners, *v.* Middleton S. Borland, Trustee in Bankruptcy, etc.; and

No. 1117. Middleton S. Borland, Trustee in Bankruptcy, etc., petitioner *v.* Alexander Latzko, et al. Suggestion of the death of Middleton S. Borland and the Equitable Trust Company of New York substituted as the party respondent in No. 1116 and as the party petitioner in No. 1117 on motion of Mr. Godfrey Goldmark in that behalf.

No. 836. The Yankton Sioux Tribe of Indians, petitioner, *v.* The United States. Motion to advance submitted by Mr. Jennings C. Wise for the petitioner.

No. 840. Arnold H. Brein, plaintiff in error, *v.* The State Department of Health of the State of Connecticut et al. Motion to advance submitted by Mr. William E. Egan for the defendant in error.

No. 713. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* The United States ex rel. G. Thomas Birkenstock et al., executors, etc. Motion to affirm submitted by Mr. John W. Townsend and Mr. James Craig Peacock for the respondent in support of the motion, and by Mr. Solicitor General Mitchell, Mr. Newton K. Fox, and Mr. Ralph E. Smith for the petitioner in opposition thereto.

No. 259. James-Dickinson Farm Mortgage Company et al., plaintiffs in error, *v.* Carrie M. Harry. Motion to dismiss submitted by Mr. Roger Shale in behalf of Mr. William M. Acton for the defendant in error in support of the motion and by Mr. George F. Rearick for the plaintiffs in error in opposition thereto.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Stipulation of counsel to extend time within which to file agreed form of decree submitted by Mr. Andrew B. Dougherty, Mr. Carl D. Mosher, and Mr. Meredith P. Sawyer for the complainant, and by Mr. Herman L. Ekern and Mr. Robert M. Reiser for the defendant.

No. 310. Carter Lynch, Trustee in Bankruptcy, etc., plaintiff in error, *v.* Nashville, Chattanooga and St. Louis Railway Company, et al. Motion to dismiss submitted by Mr. Frank Spurlock and Mr. Fitzgerald Hall for the defendant in error in support of the motion, and by Mr. Charles C. Moore for the plaintiff in error in opposition thereto.

No. 467. Mrs. Elizabeth Huff and R. E. Huff, plaintiffs in error, *v.* Irving Page, Receiver of the First National Bank of Lawton, Oklahoma. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed per stipulation of counsel.

No. 468. R. E. Huff, plaintiff in error, *v.* Irving Page, Receiver of the First National Bank of Lawton, Oklahoma. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Dismissed per stipulation of counsel.

No. 662. Empire Engineering Company, plaintiff in error, *v.* White Gratwick, and Mitchell, Incorporated. Motion to dismiss submitted by Mr. Laurence E. Coffey for the defendant in error in support of the motion, and by Mr. Adelbert Moot and Helen Z. M. Rodgers for the plaintiff in error in opposition thereto.

No. 764. Die Deutsche Bank Filiale Nurnberg, et al., petitioners, *v.* Charles Franklin Humphrey. Motion to dismiss submitted by Mr. William Grant for the respondent in support of the motion, and by Mr. Amos J. Peaslee for the petitioner in opposition thereto.

No. 816. Clarence C. Culver, petitioner, *v.* The United States. Submitted pursuant to rule 23 by Mr. George A. King, Mr. William B. King, and Mr. George B. Shields for the petitioner, and by Mr. Solicitor General Mitchell for the respondent.

No. 884. Leslie Albert Porter, plaintiff in error, *v.* The City of Lewiston, William Thomson, Charles Augustus Parker, et al. In error to the Supreme Court of the State of Idaho. Dismissed pursuant to section 2 of rule 11.

No. 890. American Telegraph & Cable Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Sanford Robinson and Mr. Francis R. Stark for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, Mr. Edwin S. McCrary, Mr. A. W. Gregg, and Mr. Charles T. Hendler for the respondent.

No. 912. Lucius L. Gilbert, Trustee in Bankruptcy of the American Shipbuilding Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Horace S. Whitman and Mr. Challen B. Ellis for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway and Mr. Arthur Cobb for the respondent.

No. 953. The United States, petitioner, *v.* Charles A. Ludy. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the petitioner, and by Mr. Wayne Johnson for the respondent.

No. 957. The United States, petitioner, *v.* The S. S. White Dental Manufacturing Company of Pennsylvania. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Fred K. Dyar for the petitioner, and by Mr. John Hampton Barnes and Mr. John F. McCarron for the respondent.

No. 974. Catherine M. Drexel, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Barry Mohun for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Alexander H. McCormick for the respondent.

No. 975. William Leather, petitioner, *v.* The United States Speedway Park Association. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Oliver J. Cook for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Joseph Henry Cohen for the respondent.

No. 1009. Missouri Pacific Railroad Company et al., petitioners, *v.* Marion & Eastern Railroad Company. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Edward J. White for the petitioners. -

No. 1010. Nelson B. Updike, Elmer A. Cope, Edward Updike, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Francis A. Brogan, Mr. Alfred G. Ellick, and Mr. Anan Raymond for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Sewall Key for the respondent.

No. 1012. Cornelius Anderson, suing on behalf of himself and all other seamen, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. H. W. Hutton for the petitioner and by M. Frederick Clayton Peterson for the respondent.

No. 1013. Clement Gunn, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Vance J. Higgs for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1016. C. A. Hudson and R. R. Brogan, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. B. B. McGinnis for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1017. Murray Jackson, petitioner, *v.* The State of Texas. Petition for a writ of certiorari to the Court of Criminal Appeals of the State of Texas submitted by Mr. A. H. Carrigan for the petitioner.

No. 1018. Nellie Truelson and her minor children Caroleen and Darnell Lena Truelson, petitioners, *v.* Whitney & Bodden Shipping Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. M. G. Adams and Mr. C. W. Howth for the petitioners, and by Mr. Palmer Pillans and Mr. H. Pillans for the respondent.

No. 1022. William P. Colbeck, Oliver Daugherty, Stephen Ryan, David Robinson, and Charles Smith, petitioners *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas J. Rowe for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1023. Charles Lanham and Gustav B. Dismeyer, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Thomas J. Rowe for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1025. Lehigh Valley Railroad Company, petitioner, *v.* Catherine O'Rourke. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas R. Wheeler for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 1026. Lehigh Valley Railroad Company, petitioner, *v.* Felix O'Rourke. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Thomas R. Wheeler for the petitioner, and by Mr. Hamilton Ward for the respondent.

No. 1029. John W. Le Crone, petitioner, *v.* Andrew W. Mellon, Secretary, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. George N. Baxter and Mr. Moses E. Clapp for the petitioner, and by Mr. William R. Harr for the respondent.

No. 1034. Fidelity & Deposit Company of Maryland, petitioner, *v.* James D. Hay et al., Commissioners, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Horace Andrews for the petitioner, and by Mr. J. B. Brooks for the respondent.

No. 1035. Henry L. Corbett, petitioner, *v.* Henry Vette et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. W. G. Bissell for the petitioner.

No. 1037. Road Improvement District No. 7 of Poinsett County, Arkansas, et al., petitioners, *v.* Guardian Savings & Trust Company, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Henry D. Ashley for the petitioner.

No. 1038. Henry H. Curran, Commissioner of Immigration, petitioner, *v.* United States ex rel. Beila Duner et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Lühring, and Mr. Frank M. Parish for the petitioner, and by Mr. Louis Marshall and Mr. Morris Jablow for the respondent.

No. 1039. G. H. Bohning et al., petitioners, *v.* R. B. Caldwell, Receiver, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Ellis Douthit and Mr. Fred L. Wallace for the petitioner.

No. 1040. William S. Silkworth, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Nathan A. Smyth for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Lühring, and Mr. Harry S. Ridgely for the respondent.

No. 1041. Blaine J. Nicholas et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. David V. Cahill and Mr. William C. Fitts for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Lühring, and Mr. Harry S. Ridgely for the respondent.

No. 1042. Edward A. McQuade et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Second Circuit submitted by Mr. David V. Cahill and Mr. James I. Cuff for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1043. Ralph E. Tincher et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. A. M. Belcher for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1044. The Hocking Valley Railway Company, petitioner, *v.* Bert F. Kontner. Petition for a writ of certiorari to the Supreme Court of the State of Ohio submitted by Mr. Fred C. Rector for the petitioner, and by Mr. R. B. Newcomb and Mr. David F. Pugh for the respondent.

No. 1045. George Ford et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. J. Harry Covington, Mr. Marion De Vries, Mr. George Roscoe Davis, and Mr. Louis V. Crowley for the petitioners, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. John J. Byrne for the respondent.

No. 1049. Milton Von Boston, petitioner, *v.* United Railways Company of St. Louis et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. P. H. Cullen for the petitioner, and by Mr. Charles W. Bates and Mr. H. S. Priest for the respondent.

No. 1050. Fidelity-Phenix Fire Insurance Company of New York, petitioner, *v.* William L. Walz, Trustee, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Henry C. Walters, Mr. Arthur P. Hicks, and Mr. James O. Murfin for the petitioner.

No. 1051. Ben F. Wright, Auditor for the Philippine Islands, petitioner, *v.* Ynchausti & Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. L. H. Hedrick for the petitioner, and by Mr. Alexander Britton and Mr. Lawrence H. Cake for the respondent.

No. 1052. Margaret Chaupet Von Crome, Executrix, petitioner, *v.* The Travelers Insurance Company of Hartford, Connecticut. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frederick H. Bacon and Mr. Edward W. Foristel for the petitioner, and by Mr. James C. Jones, Mr. Lon O. Hocker, and Mr. Frank H. Sullivan for the respondent.

No. 1053. Williams Steamship Company, Claimant, etc., petitioner, *v.* Brayton Wilbur et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. George C. Sprague, and Mr. Thomas A. Thatcher for the petitioner.

No. 1055. Empire Trust Company, petitioner, *v.* Charles Hazlitt Chahan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Van Vechten Veeder for the petitioner, and by Mr. Charles E. Hughes, jr., Mr. Augustus L. Richards, and Mr. Bertram F. Willcox for the respondent.

No. 1056. Thomas K. Fisher et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Daniel T. Hagan for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. John J. Byrne for the respondent.

No. 1057. Charles C. Galloway et al., petitioners, *v.* James Franklin Bell et al, Commissioners, etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry C. Clark for the petitioners, and by Mr. Francis H. Stephens, Mr. Benjamin S. Minor, Mr. H. Prescott Gatley, Mr. Hugh B. Rowland, and Mr. Arthur P. Drury for the respondent.

No. 1058. Arthur R. Shook, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Howard L. Doyle and Mr. Charles C. Le Forgee for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Katherine Lloyd Campbell for the respondent.

No. 1062. Charlie Gib, petitioner, *v.* Luther Weedin, Commissioner, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Roger O'Donnell and Mr. John J. Sullivan for the petitioner, and by Mr. Solicitor General Mitchell, Mr Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1063. Kee How, alias Charlie Kee, petitioner, *v.* Luther Weedin, Commissioner, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Roger O'Donnell and Mr. John J. Sullivan for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1064. Edgar M. Chapman et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Cecil H. Smith for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1065. In re J. A. Wolfson, petitioner. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. L. T. Michener, Mr. Swagar Sherley, Mr. F. De. C. Faust, and Mr. Charles F. Wilson for the petitioner, and by Mr. Amos R. Stallings for the respondent.

No. 1069. Middleton S. Borland, Trustee, etc., petitioner, *v.* Carl Rochling et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Godfrey Goldmark for the petitioner, and by Mr. Henry G. Hotchkiss and Mr. William H. White, jr., for the respondents.

No. 1071. Marie Perry, petitioner, *v.* Hubert Work, Secretary, etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. S. M. Stockslager for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Parmenter, and Mr. P. G. Michener for the respondent.

No. 1116. Alexander Latzko, William Latzko, Charles Latzko, et al., etc., petitioners, *v.* Middleton S. Borland, Trustee in Bankruptcy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles A. Brodek for the petitioner.

No. 1117. Middleton S. Borland, Trustee in Bankruptcy, petitioner, *v.* Alexander Latzko, William Latzko, Charles Latzko, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Godfrey Goldmark for the petitioner.

No. 674. Israel Seligman, appellant, *v.* Frank K. Bowers, Collector of Internal Revenue, etc., et al. Submitted by Mr. Solicitor General Mitchell for the appellees. No brief filed for appellant.

No. 623. Yu Cong Eng and Co Liam for themselves and for the benefit of all other persons similarly situated and affected, petitioners, *v.* W. Trinidad, as Collector of Internal Revenue, et al. Argument commenced by Mr. Frederic R. Coudert for the petitioners, and continued by Mr. Paul Shipman Andrews for the respondents.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 13, will be as follows: Nos. 623, 612, and 613, 229, 230, 231, 232, and 233, and 234, 237, 239, 240, and 241.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Joseph William Hazell, of Washington, D. C.; Bolon B. Turner, of Washington, D. C.; Ben Jenkins, of Washington, D. C.; Earle W. Wallick, of Washington, D. C.; H. H. Shinnick, of Washington, D. C.; Matthew H. O'Brien, of Washington, D. C.; William F. Stanton, of Newburgh, N. Y.; Cornelius V. Cronin, of Newburgh, N. Y.; William J. Peters, of Washington, D. C.; Arthur T. Hannett, Santa Fe, N. Mex.; William S. Hamilton, Pawhuska, Okla.; Arthur F. Auer, of Nashville, Ark.; Margaret Williams, of Lebanon, Tenn.; W. B. Brown, of Kansas City, Mo.; Norwood J. Utter, of Cincinnati, Ohio; and John H. Engel, of Detroit, Mich., were admitted to practice.

No. —. *Ex parte Samuel P. Goldman*. Motion to direct clerk to amend roll of attorneys to show change of the name of Samuel P. Goldman to "Samuel P. Gilman" granted on motion of Mr. George T. Weitzel in that behalf.

No. **623**. *Yu Cong Eng et al., etc., petitioners, v. W. Trinidad as Collector, etc., et al.* Argument concluded by Mr. Paul Shipman Andrews for the respondents.

No. **612** and **613**. *Joseph B. Marsino, plaintiff in error, v. The Commonwealth of Massachusetts*. Argument commenced by Mr. Asa P. French for the plaintiff in error. The court declined to hear further argument.

No. **229**. *The I. T. S. Rubber Company, petitioner, v. Essex Rubber Company*. Argument commenced by Mr. F. O. Richey for the petitioner, continued by Mr. Lucius E. Varney for the respondent, and concluded by Mr. F. O. Richey for the petitioner.

No. **230**. *New York Central R. R. Co. et al., plaintiff in error, v. New York & Pennsylvania Co.* Argument commenced by Mr. Parker McCollester for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 14, will be as follows: Nos. **230, 231, 232** (and **233** and **234**), **237, 239, 240, 241, 243, 244,** and **245**.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Abraham Lincoln Gutman, of New York City; Paul Donehoo, of Atlanta, Ga.; W. E. Cashman, of San Francisco, Calif.; Grover C. Carter, of Ozark, Ark.; David S. Partain, of Van Buren, Ark.; Durina Watts MacDougall, of Boston, Mass.; Bion B. Libby, of Boston, Mass.; Charles W. Parker, of Buffalo, N. Y.; Charles L. Childers, of El Centro, Calif.; Harold A. Prince, of Grand Island, Nebr.; and Robert E. Kline, of Washington, D. C., were admitted to practice.

No. 243. The State of Washington, plaintiff in error, *v.* Mike Korich. In error to the Supreme Court of the State of Washington. Dismissed with costs pursuant to the 21st rule.

No. 230. New York Central Railroad Company et al., plaintiffs in error *v.* New York and Pennsylvania Company. Argument continued by Mr. Parker McColleston for the plaintiffs in error, and concluded by Mr. Thomas Raeburn White for the defendant in error.

No. 231. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v.* A. N. Murphy et al., Partners, etc. Argued by Mr. A. T. Boys for the plaintiff in error, and submitted by Mr. W. C. Stevens and Mr. A. J. Morris for the defendants in error.

No. 232. Howard Sutherland, Alien Property Custodian, appellant, *v.* Richard Mayer et al.;

No. 233. Richard Mayer et al., appellants, *v.* Howard Sutherland, Alien Property Custodian et al.; and

No. 234. Edwin Reis et al., appellants, *v.* Richard Mayer et al. Argument commenced by Mr. Assistant Attorney General Letts for Howard Sutherland, Alien Property Custodian, continued by Mr. Edward F. McClennen for Richard Mayer, and concluded by Mr. John W. Davis for Edwin Reis et al.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 15, will be as follows: Nos. 237, 239, 240, 241, 244, 245, 250, 251, 252, 253.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Elmer M. Leesman, of Chicago, Ill.; Ernest J. Stebbing, of Washington, D. C.; Clarence B. DesJardins, of Washington, D. C.; and Arthur L. Gilliom, of Indianapolis, Ind., were admitted to practice.

No. 252. Maguire and Company, Inc., appellant, *v.* The United States. Continued per stipulation.

No. 237. Sun Shipbuilding Company, appellant, *v.* The United States. Motion to remand to the Court of Claims for further findings of fact submitted by Mr. Frank E. Scott for the appellant. Argument commenced by Mr. Frank E. Scott for the appellant, continued by Mr. Assistant Attorney General Galloway for the appellee, and concluded by Mr. Frank E. Scott for the appellant.

No. 239. Sperry Gyroscope Company, appellant, *v.* Arma Engineering Company. Argument commenced by Mr. D. Anthony Usina for the appellant, continued by Mr. Dean S. Edmonds for the appellee, and concluded by Mr. Melville Church for the appellant.

No. 241. Dorris Motor Car Company, appellant, *v.* The United States. Argument commenced by Mr. John E. Hughes for the appellant. The court declined to hear further argument.

No. 240. The Kenilworth Company, appellant, *v.* The United States. Argument commenced by Mr. Benjamin Carter for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 16, will be as follows: Nos. 240, 244, 245, 250, 251, 253, 255, 257, 262, 263.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Pearch C. Rodney, of Albuquerque, N. Mex.; Joseph A. Tolbert, of Greenville, S. C.; and Lee W. Branch, of Quitman, Ga., were admitted to practice.

Ex parte: Michael A. Mussman. Motion to direct clerk to amend roll of attorneys to show change of the name of Michael A. Mussman to "Michael A. Musmanno" granted on motion of Mr. J. J. McSwain in that behalf.

No. 240. The Kenilworth Company, appellant, *v.* The United States. Argument continued by Mr. Benjamin Carter for the appellant. The court declined to hear further argument.

No. 244. The Alabama & Vicksburg Railway Company et al., plaintiff in error, *v.* Jackson and Eastern Railway Company. Argued by Mr. J. Blanc Monroe for the plaintiff in error, and by Mr. George B. Neville for the defendant in error.

No. 245. John W. McCardle et al., etc., appellants, *v.* Indianapolis Water Company. Argument commenced by Mr. Arthur L. Gillion for the appellant, The Public Service Commission of Indiana, and continued by Mr. Taylor E. Groninger for the appellant, The City of Indianapolis.

Adjourned until Monday next, at 12 o'clock.

The day call for Monday, April 19, will be as follows: Nos. 245, 250, 251, 253, 255, 257, 262, 263, 449, 828, 513, and 1061.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Herbert Newton Joyner, of Pittsfield, Mass.; John Carroll Wallace, of Los Angeles, Calif.; Edward H. Kelly, of Hartford, Conn.; Charles Upton Shreve, 3d, of Detroit, Mich.; Josiah Stryker, of Newark, N. J.; William A. McInerney, of South Bend, Ind.; James Thomas Vocelle, of Vero Beach, Fla.; and William Johnston Lamont, of Newburgh, N. Y., were admitted to practice.

No. 712. New York Life Insurance Company, petitioner, *v.* William H. Edwards, as Collector of Internal Revenue, etc.; and

No. 804. William H. Edwards, as Collector of Internal Revenue for the Second District of New York, petitioner, *v.* New York Life Insurance Company. On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit. No. 712, writ of certiorari dismissed. No. 804, judgment reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 138. Great Northern Railway Company, petitioner, *v.* Galbreath Cattle Company and Annice W. Phelps and Frances P. Belden, etc., et al., etc. On writ of certiorari to the Supreme Court of the State of Montana. Judgment reversed with costs; and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 365. Dr. A. W. Boyd, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Van Devanter.

No. 237. Sun Shipbuilding Company, appellant, *v.* The United States;

No. 240. The Kenilworth Company, appellant, *v.* The United States; and

No. 241. Dorris Motor Car Company, appellant, *v.* The United States. Appeals from the Court of Claims. No. 237, motion to remand for further findings denied, and judgment affirmed. No. 240, motion to remand for further findings denied and judgment affirmed. No. 241, judgment affirmed. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 801. Benjamin I. Salinger, Jr., plaintiff in error, *v.* The United States of America. Motion to advance granted; and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 836. The Yankton Sioux Tribe of Indians, petitioner, *v.* The United States. Motion to advance granted; and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 840. Arnold H. Brein, plaintiff in error, *v.* State Department of Health et al. Motion to advance granted; and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 102. Rhederei M. Jebsen Company, appellant, *v.* The United States; and

No. 103. The Firm of M. Jebsen, Corresponding Owner of the Steamship Company, Carl Diederichsen, for the use of Rhederei M. Jebsen Company, appellant, *v.* The United States. The request to restore these cases to the call for argument is denied.

No. 19, original. State of Michigan, complainant, *v.* The State of Wisconsin. The motion to extend time within which to submit a form of decree is granted, pursuant to the stipulation of counsel.

No. 713. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* United States ex rel. G. Thomas Birkenstock and Gerald Ronon, Executors, etc. Further consideration of the motion to affirm is postponed to the hearing of the case on its merits. Case placed upon the summary docket and assigned for argument on Monday, May 3 next.

No. 259. James-Dickinson Farm Mortgage Company and A. A. Dickinson, plaintiffs in error, *v.* Carrie M. Harry. Further consideration of the motion to dismiss is postponed until the case is reached on its merits.

No. 310. Carter Lynch, Trustee in Bankruptcy of the Tennessee River Coal Company, plaintiff in error, *v.* Nashville, Chattanooga and St. Louis Railway Company et al. In error to the Supreme Court of the State of Tennessee. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial

Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 662. Empire Engineering Company, plaintiff in error, *v. White, Gratwick and Mitchell, Inc.* In error to the Supreme Court of the State of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of *California Powder Works v. Davis & Co.*, 151 U. S. 389; *Gaar, Scott & Co. v. Shannon*, 223 U. S. 469, 470; *Consolidated Turnpike Co. v. Norfolk & Ocean View R. R. Co.*, 228 U. S. 596, 599; *Yazoo & Mississippi Valley R. R. Co. v. Brewer*, 231 U. S. 245, 249; *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U. S. 300, 303; *Municipal Securities Corporation v. Kansas City*, 246 U. S. 63, 69; *Bilby v. Stewart*, 246 U. S. 255, 257; *Farson, Son & Co. v. Bird*, 248 U. S. 268, 271.

No. 764. Die Deutsche Bank Filiale Nurnberg et al., petitioner, *v. Charles Franklin Humphrey*. Further consideration of the motion to dismiss is postponed to the hearing of the case on its merits. Case placed upon the summary docket and assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 635. Will Moore, Insurance Commissioner of the State of Oregon, appellant, *v. Fidelity and Deposit Company of Maryland et al.* Return to rule to show cause noted. Case placed upon the summary docket and assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 674. Israel Seligman, appellant, *v. Frank K. Bowers*, Collector of Internal Revenue for the Second District of New York, and David H. Blair, United States Commissioner, etc. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of section 238 of the Judicial Code, as amended by the act of February 13, 1925, c. 229, sec. 1, 43 Stat. 938.

Nos. 612 and 613. Joseph B. Marsino, plaintiff in error, *v. The Commonwealth of Massachusetts*. In error to the Superior Court of Worcester County, State of Massachusetts. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 231. The Chicago, Rock Island and Pacific Railway Company, plaintiff in error, *v. A. N. Murphy and T. O. Murphy*, Partners doing business under the firm name and style of Murphy & Son. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority

of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 953. The United States, petitioner, *v. Charles A. Ludy*. Petition for a writ of certiorari to the Court of Claims granted.

No. 957. The United States, petitioner, *v. The S. S. White Dental Manufacturing Company of Pennsylvania*. Petition for a writ of certiorari to the Court of Claims granted.

No. 1012. Cornelius Anderson, suing on behalf of himself and all other seamen, etc., petitioner, *v. Shipowners Association of the Pacific Coast et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1016. C. A. Hudson and R. R. Brogan, petitioners, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit granted.

No. 1045. George Ford, George Harris, J. Evelyn, et al., petitioners, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 890. American Telegraph & Cable Company, petitioner, *v. The United States*. Petition for a writ of certiorari to the Court of Claims denied.

No. 912. Lucius L. Gilbert, Trustee in Bankruptcy of the American Shipbuilding Company, petitioner, *v. The United States*. Petition for a writ of certiorari to the Court of Claims denied.

No. 974. Catherine M. Drexel, petitioner, *v. The United States*. Petition for a writ of certiorari to the Court of Claims denied.

No. 975. William Leather, petitioner, *v. The United States, Speedway Park Association*. Petition for a writ of certiorari to the Court of Claims denied.

No. 1009. Missouri Pacific Railroad Company et al., petitioners, *v. Marion & Eastern Railroad Company*. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 1010. Nelson B. Updike et al., petitioners, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1013. Clement Gunn, petitioner, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1017. Murray Jackson, petitioner, *v.* The State of Texas. Petition for a writ of certiorari to the Court of Criminal Appeals of the State of Texas denied.

No. 1018. Nellie Truelson et al., petitioners, *v.* Whitney & Bodden Shipping Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1022. William P. Colbeck et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1023. Charles Lanham et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1025. Lehigh Valley Railroad Company, petitioner, *v.* Catherine O'Rourke. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1026. Lehigh Valley Railroad Company, petitioner, *v.* Felix O'Rourke. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1029. John W. Le Crone, petitioner, *v.* Andrew W. Mellon, Secretary, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1034. Fidelity & Deposit Company of Maryland, petitioner, *v.* James D. Hay et al., Commissioners. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1035. Henry L. Corbett, petitioner, *v.* Henry Vette et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1037. Road Improvement District No. 7 of Poinsett County, Arkansas, et al., petitioners, *v.* Guardian Savings and Trust Company, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1038. Henry H. Curran, Commissioner of Immigration, petitioner *v.* United States ex rel. Beila Duner et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1039. G. W. Bohning et al., petitioners, *v.* R. B. Caldwell, Receiver. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1040. William S. Silkworth, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1041. Blaine J. Nicholas et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1042. Edward A. McQuade et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1043. Ralph E. Tincher et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1044. The Hocking Valley Railway Company, petitioner, *v.* Bert F. Kontner. Petition for a writ of certiorari to the Supreme Court of the State of Ohio denied.

No. 1049. Milton Von Boston, petitioner, *v.* United Railways Company of St. Louis et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 628. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian;

No. 629. Leopold Zimmermann et al., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian; and

No. 630. Deutsche Bank of Berlin, Germany, appellant, *v.* Leopold Zimmermann et al. Motions to advance submitted by Mr. Thomas P. Littlepage for the appellants, in Nos. 628 and 629 and for the appellees in No. 630.

No. 920. Schurman Brothers, a copartnership consisting of Morris Schurman and Joseph M. Schurman, plaintiffs in error, *v.* The First National Bank of Skiatook. Leave granted to file statement of points relied upon and designation of parts of the record to be printed, on motion of Mr. John W. Townsend in behalf of Mr. Claude H. Rosenstein for the plaintiffs in error.

No. 762. Jacob Joseph Tutun, *v.* The United States of America; and

No. 824. Moritz Neuberger *v.* The United States of America. Mandates granted on motion of Mr. James A. Cobb in behalf of counsel.

No. 239. Sperry Gyroscope Company, appellant, *v.* Arma Engineering Company. Motion for leave to file additional brief on behalf of the appellant submitted by Mr. Melville Church and motion denied.

No. 1030. John L. Cranmer, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted

by Mr. George A. King for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. John G. Ewing for the respondent.

No. **1066.** A. Goldstein, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. Gwynn Gardiner for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhning, and Mr. Harry S. Ridgely for the respondent.

No. **1068.** Chicago Great Western Railroad Company, petitioner, *v.* Marian S. Jackson. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Asa G. Briggs for the petitioner and by Mr. F. M. Miner for the respondent.

No. **1072.** Handy Chocolate Company, petitioner, *v.* C. C. Mengel and Brothers. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Philip N. Jones for the petitioner and by Mr. Addison C. Burnham for the respondent.

No. **1073.** Missouri-Kansas-Texas Railroad Company of Texas, petitioner, *v.* The State of Texas. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas submitted by Mr. J. M. Bryson, Mr. C. C. Huff, and Mr. Alex. H. McKnight for the petitioner.

No. **1074.** Harold W. Letton, petitioner, *v.* American Merchant Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Hartwell Cabell for the petitioner and by Mr. Cletus Keating and Mr. Ira A. Campbell for the respondent.

No. **1075.** The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, petitioner, *v.* Daisy Halt, Administratrix of the Estate of Frederick Halt. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. Samuel W. Baxter, Mr. Charles A. Houts, Mr. H. N. Quigley, and Mr. David E. Keefe for the petitioner, and by Mr. Sidney Thorne Able for the respondent.

No. **1076.** Alma Coal Company and Kentland Coal & Coke Company, petitioner, *v.* John F. Phillips and Susan J. Phillips. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. John F. Hager for the petitioner.

No. **1077.** The Temco Electric Motor Company, petitioner, *v.* Apco Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. H. A. Toulmin and Mr. H. A. Toulmin, jr., for

the petitioner, and by Mr. M. A. Keller and Mr. Clifford L. Hilton for the respondent.

No. 1079. Herbert R. Wilkin, Trustee in Bankruptcy of Harmony Theatre Company, Bankrupt, petitioner, *v.* Heywood-Wakefield Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George E. Brand and Mr. Walter I. McKenzie for the petitioner.

No. 1080. The Farmers and Miners Bank et al., petitioners, *v.* The Bluefield National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. William H. Werth for the petitioner.

No. 1081. A. Stanley Copeland, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. A. Stanley Copeland, *pro se.*

No. 1082. Paolo Sacco, Administrator of the Goods, Chattels, and Credits of Luigi Sacco, deceased, petitioner, *v.* The Delaware and Hudson Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Walter A. Fullerton for the petitioner.

No. 1087. Spencer Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Hubert F. Fisher for the petitioner.

No. 1088. The United States of America *ex relatione*, Edmund A. Varela and Carry B. Walsh, petitioners, *v.* J. Franklin Bell, Cuno H. Rudolph, and James F. Oyster, as Commissioners of the District of Columbia, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Clayton E. Emig, Mr. Wilton J. Lambert, and Mr. R. H. Yeatman for the petitioners, and by Mr. R. Golden Donaldson, Mr. Hayden Johnson, and Mr. Vernon E. West for the respondents.

No. 1089. The United States of America by C. G. Lewellyn, Collector of Internal Revenue, petitioner, *v.* George S. Davison. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit Submitted by Mr. Solicitor General Mitchell for the petitioner, and by Mr. John G. Frazer for the respondent.

No. 1092. William Noirmot, J. Olsen, Peder Hansen, et al., petitioners, *v.* Schooner *Rosemary*, Charles J. Denchaud, Owner, and W. N. Burbidge, Master. Petition for a writ of certiorari to the United States Circuit Court of Appeals submitted by Mr. J. L. Morewitz for the petitioner.

No. 245. John W. McCardle et al., as Members of the Public Service Commission of Indiana et al., appellants, *v.* Indianapolis Water Company. Argument continued by Mr. Taylor E. Groninger for appellant, the city of Indianapolis, and concluded by Mr. William L. Ransom for the appellee.

No. 250. Road Improvement District No. 1 of Franklin County, Arkansas, et al., appellants, *v.* Missouri Pacific Railroad Company. Argued by Mr. Dave Partain for the appellants, and by Mr. Thomas B. Pryor for the appellee.

No. 251. Joseph Leiter, Nancy Lathrop, Carver Campbell, et al., Trustees, etc., appellants, *v.* The United States. Argument commenced by Mr. C. B. Garnett for the appellant. The court declined to hear further argument.

No. 253. Dorothy Scott, plaintiff in error, *v.* J. A. Paisley et al. Argument commenced by Mr. Paul Donehoo for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 20, will be as follows: Nos. 253, 255, 257, 262, 263, 449, 828, 513, 1061, and 264.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Frank L. Muhleman, of Los Angeles, Calif.; Brice Toole, of Missoula, Mont.; Frank A. Little, of Basin, Wyo.; Robert Bartlett Dresser, of Providence, R. I.; Ulysses Grant Hahn, of Bellefontaine, Ohio; William Dwight Thompson, of Racine, Wis.; and Alfred Newman Heuston, of Seattle, Wash., were admitted to practice.

No. 253. Dorothy Scott, plaintiff in error, *v.* J. A. Paisley, Mrs. Fannie Paisley, Claud Brackett, et al. Argument continued by Mr. Paul Donehoo for the plaintiff in error, and concluded by Mr. Walter McElreath for the defendants in error.

No. 255. Oscar Thornton, Shabie Thornton, Inman Thornton, et al., petitioners, *v.* The United States of America. Argued by Mr. Lee W. Branch for the petitioners, and by Mr. Gardner P. Lloyd for the respondent.

No. 257. Chicago and North Western Railway Company, petitioner, *v.* Alvin R. Durham Company, et al. Argued by Mr. R. N. Van Doren for the petitioner, and by Mr. Joseph L. Hooper for the respondents.

No. 262. Steve Super and Benjamin H. Wilder, appellants, *v.* Hubert Work, Secretary of the Interior, et al., etc. Argument commenced by Mr. Jennings C. Wise for the appellants, and continued by Mr. George P. Barse for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 21, will be as follows: Nos. 262, 263, 449, 828, 513, 1061, 264, 265, 266, and 268.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Franklin William Murphy, of Wheaton, Minn.; William R. C. Cocke, of Birmingham, Ala.; Timothy D. Sheehan, of St. Paul, Minn.; and Ralph Gilbert, of Shelbyville, Ky., were admitted to practice.

No. 262. Steve Super and Benjamin H. Wilder, appellants, *v.* Hubert Work, Secretary of the Interior, as a member of the Federal Power Commission et al. Argument continued by Mr. George P. Barse for the appellee and concluded by Mr. Jennings C. Wise for the appellants.

No. 263. Union Insulating & Construction Company, appellant, *v.* The United States. Submitted by Mr. Edmund D. Adcock and Mr. George I. Haight for the appellant, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the appellee.

No. 449. Lazarus G. Joseph and A. N. Jouredini & Bros., petitioners, *v.* John Boardman, J. M. Menzi, and The Bank of the Philippine Islands. Argued by Mr. Henry D. Green for the petitioners, and by Mr. Isidor J. Kresel for the respondents. Motion to dismiss submitted by Mr. Isidor J. Kresel for the respondents, with leave counsel for the petitioners to file brief in reply thereto within five days.

No. 828. Marion L. Frost and Wesley H. Frost, Copartners doing business under the name and style of Frost & Frost Trucking Company, plaintiffs in error, *v.* Railroad Commission of the State of California. Argument commenced by Mr. Max Thelen for the plaintiffs in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 22, will be as follows: Nos. 828, 513, 1061, 264, 265, 266, 268, 269, 270, and 271.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Arthur C. Erdall, of Minneapolis, Minn.; Merle M. Johnson, of Washington, D. C.; David H. Bloom, of Boston, Mass.; and Buford O. Wheeler, of Denver, Colo., were admitted to practice.

No. 270. Edith Stege, William C. Dohrman, etc., et al., plaintiffs in error, *v.* City of Richmond, and G. W. Cushing. Continued per stipulation of counsel.

No. 828. Marion L. Frost and Wesley H. Frost, copartners, etc., plaintiffs in error, *v.* Railroad Commission of the State of California. Argument continued by Mr. Max Thelen for the plaintiffs in error, and concluded by Mr. Carl I. Wheat for the defendant in error.

No. 513. The United States of America ex rel. W. V. Hughes, appellant, *v.* Roy B. Gault, United States Marshal. Argued by Mr. Charles E. Hughes for the appellant, and by Mr. Assistant to the Attorney General Donovan for the appellee.

No. 1061. The United States of America, plaintiff in error, *v.* John Ramsey and William K. Hale. Argument commenced by Mr. Solicitor General Mitchell for the plaintiff in error, continued by Mr. William S. Hamilton for the defendants in error, and concluded by Mr. S. P. Freeling for the defendants in error.

No. 264. St. Louis-San Francisco Railway Company, petitioner, *v.* Odell Mills, as Administratrix of the Estate of Ira S. Mills, deceased. Argument commenced by Mr. W. R. C. Cocke for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 23, will be as follows: Nos. 264, 265, 266, 268, 269, 271, 272, 274, 275, and 278.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Charles C. Wallace, of Baltimore, Md.; William Allen Wiest, of Klamath Falls, Oreg.; Harold C. McCollom, of New York City; Joseph Tyson McGill, of Brooklyn, N. Y.; Leonard Marsden Gardner, of New York City; Harry E. Pickett, of Douglas, Ariz., and Guy Gordon, of Roseburg, Oreg., were admitted to practice.

No. 264. St. Louis-San Francisco Railway Company, petitioner, *v.* Odell Mills, as Administratrix. Argument continued by Mr. W. R. C. Cocke for the petitioner, by Mr. G. R. Harsh for the respondent, and concluded by Mr. W. R. C. Cocke for the petitioner.

No. 265. Kansas City Terminal Railway Company et al. *v.* Central Union Trust Company of New York et al. Argued by Mr. Samuel W. Sawyer for the Kansas City Terminal Railway Co., and by Mr. Joseph M. Bryson for the Central Union Trust Co. of New York.

No. 266. Emelie W. Peacock, appellant, *v.* Mabel G. Reinecke, Collector. Argument commenced by Mr. Herbert Pope for the appellant, and continued by Mr. Solicitor General Mitchell for the appellee, and concluded by Mr. Herbert Pope for the appellant.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, April 26, 1926, will be as follows: Nos. 268, 269, 271, 272, 274, 275, 278, 718, 279, and 280.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ira Milton Jones, of Milwaukee, Wis.; Charles Louis Carroll, of Great Bend, Kans.; Lee Miles, of Little Rock, Ark.; Simeon Hyde, of Charleston, S. C.; Oscar Blount Ralls, of New York City; Horace Webster Johnson, of Thorntown, Ind.; Pedro J. Urbina, of Washington, D. C.; Will G. Akers, of Little Rock, Ark.; and Milward W. Martin, of New York City, were admitted to practice.

No. 226. Andrew G. Patterson, H. Fitzhugh Lee, and Frank P. Morgan, Individually, etc., et al., appellants, *v.* Mobile Gas Company. Appeal from the District Court of the United States for the Middle District of Alabama. Decree modified and affirmed with costs. Opinion by Mr. Justice McReynolds. Mr. Justice Sanford concurs in the result.

No. 190. Clarence H. Venner, appellant, *v.* The Michigan Central Railroad Company. Appeal from the District Court of the United States for the Northern District of Ohio. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 230. New York Central Railroad Company and Pennsylvania Railroad Company, plaintiffs in error, *v.* New York & Pennsylvania Company. In error to and on writ of certiorari to the Supreme Court of the State of Pennsylvania. Writ of error dismissed. Writ of certiorari granted. Judgment reversed with costs, and cause remanded for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes. (Mr. Justice Sutherland took no part in the consideration or decision of this case.)

No. 263. Union Insulating & Construction Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 628. Leopold Zimmermann, Louis J. Rees, Maryan H. Hauser, John S. Scully et al., etc., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian of the United States et al.;

No. 629. Leopold Zimmermann, Louis J. Rees, Maryan H. Hauser, et al., etc., appellants, *v.* Frederick C. Hicks, as Alien Property Custodian of the United States et al.; and

No. 630. Deutsche Bank of Berlin, Germany, appellant, *v.* Leopold Zimmermann, Louis J. Rees, Maryan H. Hauser et al., etc. The motions to advance these cases are denied.

No. 262. Steve Super and Benjamin H. Wilder, appellants, *v.* Hubert Work, Secretary of the Interior, as a member of the Federal Power Commission, and William M. Jardine, Secretary of Agriculture, etc. Appeal from the Court of Appeals of the District of Columbia. Per curiam: Affirmed upon the authority of (1) *Barker v. Harvey*, 181 U. S. 481; *United States v. Title Insurance Company*, 265 U. S. 472; (2) *Lone Wolf v. Hitchcock*, 187 U. S. 553; *Conley v. Ballinger*, 216 U. S. 84, 90.

No. 266. Emelie W. Peacock, appellant, *v.* Mabel G. Reinecke, Collector of Internal Revenue for the First Internal Revenue District of Illinois. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Per curiam: Dismissed for want of jurisdiction upon the authority of *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79; *Toop v. Ulysses Land Company*, 237 U. S. 580, 583; *United Security Company v. American Fruit Produce Company*, 238 U. S. 140, 142; *Sugarman v. United States*, 249 U. S. 182, 184; *Berkman v. United States*, 250 U. S. 114, 118; *Piedmont Power & Light Company v. Town of Graham*, 253 U. S. 193, 195.

No. 1051. Ben F. Wright, Auditor for the Philippine Islands, petitioner, *v.* Ynchausti and Company. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 1055. Empire Trust Company, petitioner, *v.* Charles Hazlitt Cahan. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1068. Chicago Great Western Railroad Company, petitioner, *v.* Marion S. Jackson. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 1069. Middleton S. Borland, as Trustee in Bankruptcy of Knauth, Nachod & Kuhne, petitioner, *v.* Carl Rochling, et al., trading as Gebrueder Rochling. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1073. Missouri-Kansas-Texas Railroad Company of Texas, petitioner, *v.* The State of Texas. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas granted.

No. 1077. The Temco Electric Motor Company, petitioner, *v.* Apco Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1116. Alexander Latzko, William Latzko, Charles Latzko, et al., etc., petitioners, *v.* Middleton S. Borland, Trustee in Bankruptcy. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1117. Middleton S. Borland, Trustee in Bankruptcy, petitioner, *v.* Alexander Latzko, William Latzko, Charles Latzko, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1030. John L. Cranmer, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 1050. Fidelity-Phenix Fire Insurance Company of New York, petitioner, *v.* William L. Walz, Trustee, and Ann Arbor Savings Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1052. Margaret Chaput Von Crome, executrix of the estate of Julius Kalter, deceased, petitioner, *v.* The Travelers Insurance Company of Hartford, Connecticut. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1053. Williams Steamship Company, Inc., claimant of the American Steamer *Willsole*, her Engines, etc., petitioner, *v.* Brayton Wilbur, Floyd E. Ellis, and Thomas George Frank, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1056. Thomas K. Fisher, Dominick Fisher, Peter E. Fitzpatrick, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1057. Charles C. Galloway, H. Edson Rogers, and Clarence D. Blachly, petitioners, *v.* James Franklin Bell, Cuno H. Rudolph and Frederick A. Fenning; as members etc., et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1058. Arthur R. Shook, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1062. Charlie Gib, petitioner, *v.* Luther Weedon, as Commissioner of Immigration of the Port of Seattle, Washington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1063. Kee How, alias Charlie Kee, petitioner, *v.* Luther Weedon, Commissioner of Immigration of the Port of Seattle, Washington. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1064. Edgar M. Chapman and Ernest Lynn, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1065. In re: J. A. Wolfson, petitioner. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands denied.

No. 1066. A Goldstein, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1071. Marie Perry, petitioner, *v.* Hubert Work, Secretary of the Interior and William Spry, Commissioner of the General Land Office. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1072. Handy Chocolate Company, petitioner, *v.* C. C. Mengel & Bros. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1074. Harold W. Letton, petitioner, *v.* American Merchant Marine Insurance Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1075. The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, petitioner, *v.* Daisy Halt, Administratrix of the Estate of Frederick Halt. Petition for a writ of certiorari to the Supreme Court of the State of Missouri denied.

No. 1076. Alma Coal Company and Kentland Coal & Coke Company, petitioner, *v.* John F. Phillips and Susan J. Phillips. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1079. Herbert R. Wilkin, Trustee in Bankruptcy of Harmony Theatre Company, Bankrupt, petitioner, *v.* Heywood-Wakefield Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1080. The Farmers and Miners Bank et al., petitioners, *v.* The Bluefield National Bank et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1081. A Stanley Copeland, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1082. Paolo Sacco, administrator of the goods, chattels, and credits of Luigi Sacco, deceased, petitioner, *v.* The Delaware and Hudson Company. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 1087. Spencer Brown, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1088. The United States of America ex relatione, Edmund A. Varela and Carry B. Walsh, petitioners, *v.* J. Franklin Bell, Cuno H. Rudolph, and James F. Oyster, as Commissioners of the District of Columbia, etc. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1089. The United States of America by C. G. Lewellyn, Collector of Internal Revenue, petitioner, *v.* George S. Davison. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1092. William Noirmot, J. Olsen, Peder Hansen, et al., petitioners, *v.* Schooner *Rosemary*. Charles J. Denchaud, Owner, and W. N. Burbidge, Master. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 410. Federal Trade Commission, petitioner, *v.* Western Meat Company. Motion to advance submitted by Mr. Solicitor General Mitchell for the petitioner.

No. 721. Thatcher Manufacturing Company, petitioner, *v.* Federal Trade Commission. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 781. Swift & Company, petitioner, *v.* Federal Trade Commission. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 457. Charles V. Duffy, former collector of Internal Revenue, petitioner, *v.* The Mutual Benefit Life Insurance Company. Motion

to advance submitted by Mr. Solicitor General Mitchell for the petitioner.

No. 1045. George Ford, George Harris, J. Evelyn, et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 999. Pan American Petroleum and Transport Company et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Atlee Pomerene for the respondent.

No. 678. Edmond Van Dyk, petitioner, *v.* William A. Young. Motion for leave to file petition for a rehearing submitted by Mr. John W. Townsend in behalf of Mr. William G. Cooke for the petitioner, in support of the motion, and by Mr. Godfrey Goldmark for the respondent in opposition thereto.

No. 470. The United States, appellant, *v.* John J. Mitchell et al., as executors, etc. Mandate granted on motion of Mr. Milward W. Martin in that behalf.

No. —, original. *Ex parte*: In the matter of William G. Ehrlich, petitioner. Motion for leave to file petition for writ of habeas corpus and to admit petitioner to bail submitted by Mr. William C. Prentiss and Mr. Joseph E. Morrison for the petitioner.

No. —, original. *Ex parte*: In the matter of Carl Kober. Motion for leave to file petition for writ of habeas corpus and to admit petitioner to bail submitted by Mr. William C. Prentiss and Mr. Joseph E. Morrison for the petitioner.

No. 1083. Ben L. Berwald Shoe Company, bankrupt, et al., petitioners, *v.* Hamilton-Brown Shoe Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John Davis for the petitioner.

No. 1084. David S. Seaman et al., Coexecutors, etc., petitioners, *v.* Richard McCulloch et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. P. H. Cullen and Mr. Thomas T. Fauntleroy for the petitioner, and by Mr. Samuel A. Mitchell and Mr. H. S. Priest for the respondent.

No. 1086. Gulf, Mobile and Northern Railroad Company, petitioner, *v.* W. F. Wells. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi submitted by Mr. Ellis B. Cooper for the petitioner.

No. 1090. Fred E. Kling, petitioner, *v.* Fritz Haring. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. D. P. Wolhaupter for the petitioner, and by Mr. Henry M. Husley and Mr. Ralph Munden for the respondent.

No. 1091. B. A. Marlin, petitioner, *v.* John Lewallen et al. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. S. P. Freeling for the petitioner, and by Mr. Martin E. Turner for the respondents.

No. 1093. Alvaro Boera et al., etc., petitioners, *v.* Steamship *Skipsea* et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank I. Finkler for the petitioners, and by Mr. L. De Grove Potter for the respondents.

No. 1094. Atlantic Coast Line Railroad Company, petitioner, *v.* Ida May Southwell, Administratrix. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina submitted by Mr. Thomas W. Davis for the petitioner.

No. 1095. Compania General de Tabacos de Filipinas, petitioner, *v.* Collector of Internal Revenue. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. W. F. Williamson, Mr. B. M. Aikens, and Mr. Barry Mohun for the petitioner, and by Mr. A. R. Stallings for the respondent.

No. 1103. Stromberg Motor Devices Company, petitioner, *v.* Beneke & Kropf Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles A. Brown and Mr. Arthur H. Boettcher for the petitioner, and by Mr. Charles W. Hills for the respondent.

No. 1104. Stromberg Motor Devices Company, petitioner, *v.* Beneke & Kropf Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Charles A. Brown and Mr. Arthur H. Boettcher for the petitioner.

No. 1106. City of Atlanta, petitioner, *v.* Mrs. Corinne S. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Georgia submitted by Mr. Will T. Gordon for the petitioner, and by Mr. John D. Little, Mr. Arthur G. Powell, Mr. Marion Smith, and Mr. Max F. Goldstein for the respondent.

No. 1107. Columbia Insurance Company of New Jersey et al., petitioners, *v.* The Mart Waterman Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Robert J. Fox and Mr. Royal H. Weller for the petitioners, and by Mr. Charles E. Hughes, jr., for the respondent.

No. 1108. The Buckeye Iron & Brass Works, petitioner, *v.* Alfred W. French et al. Petition for a writ of certiorari to the United

States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. H. A. Toulmin and Mr. H. A. Toulmin, jr., for the petitioner, and by Mr. Charles W. Parker for the respondents.

No. 1109. James Murray, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Bernhard Frank, Mr. Charles E. Woodward, and Mr. Lee O'Neil Browne for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1110. William J. Fahy, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Bernhard Frank, Mr. Charles E. Woodward, and Mr. Lee O'Neil Browne for the petitioner.

No. 327. Reaves Warehouse Corporation, plaintiff in error, *v.* The Commonwealth of Virginia. In error to the Supreme Court of Appeals of the State of Virginia. Dismissed with costs, on motion of plaintiff in error.

No. 342. Thomas E. Wing, as substituted trustee, etc., et al., plaintiff in error, *v.* Ernest A. Wiltsee. In error to the Supreme Court of the State of Nevada. Dismissed with costs, on motion of plaintiff in error.

No. 964. Tom Horton, plaintiff in error, *v.* The State of Missouri. In error to the Supreme Court of the State of Missouri. Dismissed with costs, on motion of plaintiff in error.

No. 268. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* Edith F. Coogan, as Special Administratrix of the Estate of William Coogan, deceased. Argued by Mr. A. C. Erdall for the petitioner, and by Mr. T. D. Sheehan for the respondent.

No. 269. Roy Rissling, plaintiff in error, *v.* The City of Milwaukee. Argument commenced by Mr. Leon B. Lamfrom for the plaintiff in error. The court declined to hear further argument.

No. 271. Turner, Dennis & Lowry Lumber Company, plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. Argument commenced by Mr. Rees Turpin for the plaintiff in error, and continued by Mr. Edward A. Haid for the plaintiff in error.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, April 27, will be as follows: Nos. 271, 272, 274, 275, 278, 718, 279, 280, 281, and 282.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Lloys Charbonnet, of New Orleans, La.; and John H. Venable, of Miami, Okla., were admitted to practice.

No. 776. Michael McTernan, plaintiff in error, *v.* The City of Kansas City, Missouri. In error to the Supreme Court of the State of Missouri. Dismissed with costs on motion of the plaintiff in error.

No. 271. Turner, Dennis & Lowry Lumber Company, plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. Argument continued by Mr. Edward A Haid for the plaintiff in error. The court declined to hear further argument.

No. 272. Andrew W. Mellon, Director General, Agent, etc., et al., appellant, *v.* Michigan Trust Company, Receiver of Rathbone Manufacturing Company. Argued by Mr. Sidney F. Andrews for the appellant, and by Mr. S. E. Knaplen for the appellee.

No. 274. General Investment Company, appellant, *v.* The New York Central Railroad Company. Argued by Mr. Frederick A. Henry for the appellant, and by Mr. S. H. West for the appellee.

No. 275. Isabella Samuels, formerly Isabella Osborne, Alfred Samuels, and A. L. Emery, plaintiffs in error, *v.* Joe H. Childers. Submitted by Mr. John Tomerlin for the plaintiffs in error, and by Mr. Edgar A. de Meules, and Mr. James C. Denton for the defendant in error.

No. 278. R. H. Hassler, Inc., plaintiff in error, *v.* David C. Shaw. Argued by Mr. Charles Martindale for the plaintiff in error, and by Mr. A. S. Harby for the defendant in error.

No. 718. Edward F. Goltra, petitioner, *v.* Dwight F. Davis, Secretary of War of the United States, et al. Argument commenced by Mr. Joseph T. Davis for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, April 28, will be as follows: Nos. 718, 279, 280, 281, 282, 284, 285, 286, 287, and 290.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Albert MacC. Barnes, jr., of New York City; J. H. Thayer Martin, of Newark, N. J.; Frank P. Barker, of Kansas City, Mo.; Arthur O. Cook, of Saginaw, Mich.; William E. Byers, of Kansas City, Mo.; and William P. Wendell, of Washington, D. C., were admitted to practice.

No. 301. Samuel W. Lambert, appellant, *v.* Edward C. Yellowley, as Acting Federal Prohibition Director, et al. Leave granted to file brief of the Anti-Saloon League of America as amicus curiæ, on motion of Mr. Edward B. Dunford in that behalf.

No. 284. The heirs of Samuel Garland, deceased, appellants, *v.* The Choctaw Nation. Continued per stipulation of counsel.

No. 285. Sophia C. Pitchlynn and others, heirs at law of Peter P. Pitchlynn, deceased, appellants, *v.* The Choctaw Nation. Continued per stipulation of counsel.

No. 290. Hartford Accident and Indemnity Company, of Hartford, petitioner, *v.* Southern Pacific Company et al. Continued per stipulation of counsel.

No. 718. Edward F. Goltra, petitioner, *v.* Dwight F. Davis, Secretary of War of the United States, et al. Argument concluded by Mr. Lon O. Hocker for the respondents.

No. 279. City of Douglas, plaintiff in error, *v.* Federal Reserve Bank of Dallas. Argued by Mr. Harry E. Pickett for the plaintiff in error and by Mr. E. B. Stroud for the defendant in error.

No. 280. Missouri Pacific Railroad Company, appellant, *v.* The United States. Argued by Mr. Fred H. Wood for the appellant and by Mr. Alfred A. Wheat for the appellee.

No. 281. Shelley B. Hutchinson, appellant, *v.* William M. Sperry and Emily Sperry, his wife, et al. Argument commenced by Mr. William Mayo Atkinson for the appellant. The court declined to hear further argument.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, April 29, will be as follows: Nos. 282, 286, 287, 291, 292, 293, 294, 299, 301, and 302.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

George H. Bookwalter, of Benton Harbor, Mich.; Philip S. Van Cise, of Denver, Colo.; William Allen Tarver, of Corsicana, Tex.; Alfred C. Frodel, of Washington, D. C.; Roland Boynton, of Euphonia, Kans.; and Mayland H. Morse, of Berlin, N. H., were admitted to practice.

No. 292. W. W. Hay, plaintiff in error, *v.* The May Department Stores Company et al. Submitted by Mr. James J. O'Donohue for the plaintiff in error, and by Mr. Robert A. Holland, jr., for the defendant in error.

No. 282. The United States, appellant, *v.* Wyckoff Pipe & Creosoting Company, Inc. Argued by Mr. Assistant Attorney General Galloway for the appellant, and by Mr. Harvey D. Jacob for the appellee.

No. 286. Charles E. Ruthenberg, plaintiff in error, *v.* The People of the State of Michigan. Argued by Mr. Isaac E. Ferguson for the plaintiff in error, and by Mr. O. L. Smith for the defendant in error.

No. 287. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Board of Railroad Commissioners of the State of South Dakota. Argument commenced by Mr. J. N. Davis for the plaintiff in error. The court declined to hear further argument.

No. 291. William E. Iselin et al., appellants, *v.* The United States. Argument commenced by Mr. Dallas S. Townsend for the appellants. The court declined to hear further argument.

No. 293. Jaybird Mining Company, plaintiff in error, *v.* Joe Weir, as County Treasurer of Ottawa County, Oklahoma. Argued by Mr. A. Scott Thompson for the plaintiff in error, and by Mr. John H. Venable for the defendant in error.

No. 294. Fidelity National Bank and Trust Company of Kansas City et al., appellants, *v.* Felix H. Swope et al. Argument commenced by Mr. Frank P. Barker for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, April 30, will be as follows: Nos. 294, 299, 302, 305, 304, 301, 306, 307, 308, and 309.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

S. H. Williams, of Lynchburg, Va.; Grosvenor H. Backus, of Englewood, N. J.; J. Mayhew Wainwright, of Rye, N. Y.; John H. Hessey, of Baltimore, Md.; Henry Zoller, jr., of Baltimore, Md.; Duncan Drysdale, of Lynchburg, Va.; Walter E. Wiles, of Sparta, N. C.; William C. Henry, of Chicago, Ill.; Alfred Desot Dudit, of Charleston, W. Va.; Ebb Aaron Berry, of Houston, Tex.; Dudley H. Dorr, of Boston, Mass.; Joseph J. Webb, of San Francisco, Calif.; David E. Blair, of Jefferson City, Mo.; Edgar C. Bennett, of Marysville, Kans.; John A. Hall, of Pleasanton, Kans.; William Burdette Mathews, of Charleston, W. Va.; and Homer Albers, of Boston, Mass., were admitted to practice.

No. 294. Fidelity National Bank and Trust Company, of Kansas City, et al., appellants, *v.* Felix H. Swope et al. Argument continued by Mr. Frank P. Parker for the appellants, by Mr. Elliott H. Jones for the appellees, and concluded by Mr. Justin D. Bowersock for the appellant.

No. 299. The Early & Daniel Company, appellant, *v.* The United States. Argument commenced by Mr. Benton S. Oppenheimer for the appellant. The court declined to hear further argument.

No. 301. Samuel W. Lambert, appellant, *v.* Edward C. Yellowley, as Acting Federal Prohibition Director, et al. Argument commenced by Mr. Joseph S. Auerbach for the appellant, continued by Assistant Attorney General Willebrandt for the appellee, and concluded by Mr. M. A. Schenck for the appellee.

Adjourned until Monday next at 12 o'clock.

The day call for Monday, May 3, will be as follows: Nos. 302, 305, 306, 304, 307, 308, 309, 713, 312, and 313.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Francis R. Bell, of New York, N. Y.; Lynn Dole Jaseph, of Green Bay, Wis.; Louis R. Mehlinger, of Washington, D. C.; Blaine Hollock, of Baker, Oreg.; Hampton Tucker, of McAlester, Okla.; Benjamin G. Clanton, of Chicago, Ill.; and Edwin L. Gavin, of Brooklyn, N. Y., were admitted to practice.

No. 199. Harold Taylor, Trustee under the will of Mary E. Erskine, deceased, and Wilbur Erskine, petitioners, *v.* Harry W. Voss, as Trustee of the Estate of Wilbur Erskine, Bankrupt. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the District of Indiana for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sanford.

No. 168. George Harrison, Trustee in Bankruptcy of the Western Rope & Manufacturing Company, Bankrupt, petitioner, *v.* Anna B. Chamberlain. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Eastern District of Oklahoma. Opinion by Mr. Justice Sanford.

No. 173. Frank K. Bowers, Collector of Internal Revenue for the Second District of New York, plaintiff in error, *v.* Kerbaugh-Empire Company. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed with costs. Opinion by Mr. Justice Butler. Mr. Justice Brandeis concurs in the result.

No. 195. The State of Colorado, appellant, *v.* The United States of America, Interstate Commerce Commission, and The Colorado and Southern Railway Company. Appeal from the District Court of the United States for the District of Colorado. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 513. The United States of America ex rel. W. V. Hughes, appellant, *v.* Roy B. Gault, United States Marshal. Appeal from the District Court of the United States for the Southern District of Iowa. Final order affirmed with costs. Opinion by Mr. Justice Holmes. Concurring: Mr. Justice Sutherland. Dissenting: Mr. Justice Brandeis. Mr. Justice Stone took no part in the consideration or decision of this cause.

No. 291. William E. Iselin, James W. Cromwell, Lincoln Cromwell, et al., etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

No. 299. The Early and Daniel Company, appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 410. Federal Trade Commission, petitioner, *v.* Western Meat Company. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 721. Thatcher Manufacturing Company, petitioner, *v.* Federal Trade Commission. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 781. Swift & Company, petitioner, *v.* Federal Trade Commission. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 457. Charles V. Duffy, Former Collector of Internal Revenue, petitioner, *v.* The Mutual Benefit Life Insurance Company. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 1045. George Ford et al., petitioners, *v.* The United States of America. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 999. Pan American Petroleum & Transport Company et al., petitioners, *v.* The United States of America. Motion to advance granted, and the cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. 678. Edmond Van Dyk, petitioner, *v.* William A. Young. Motion for leave to file petition for rehearing denied.

No. —, original. *Ex parte*: William G. Ehrlich. Motion for leave to file petition for writ of habeas corpus and to admit petitioner to bail denied.

No. —, original. *Ex parte*: Carl Kober. Motion for leave to file petition for writ of habeas corpus and to admit petitioner to bail denied.

No. 449. Lazarus G. Joseph and A. N. Jouredini & Bros., petitioners, *v.* John Bordman, J. M. Menzi, and The Bank of the Philippine Islands. On writ of certiorari to the Supreme Court of the Philippine Islands. *Per curiam*: Writ of certiorari dismissed as improvidently granted.

No. 269. Roy Rissling, plaintiff in error, *v.* The City of Milwaukee. In error to the Supreme Court of the State of Wisconsin. *Per curiam*: Affirmed upon the authority of *Gundling v. Chicago*, 177 U. S. 183; *Barbier v. Connolly*, 113 U. S. 27; *Reinman v. City of Little Rock*, 237 U. S. 171.

No. 275. Isabella Samuels, formerly Isabella Osborne, et al., plaintiffs in error, *v.* Joe H. Childers. In error to the Supreme Court of the State of Oklahoma. *Per curiam*: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6.

No. 281. Shelley B. Hutchinson, appellant, *v.* William M. Sperry and Emily Sperry, his wife, Farmers' Loan & Trust Co. of New York, et al., etc., et al. Appeal from the United States Circuit Court of Appeals for the Third Circuit. *Per curiam*: Dismissed for want of jurisdiction upon the authority of sections 128 and 240 of the Judicial Code; *Farrell v. O'Brien*, 199 U. S. 89, 100; *Goodrich v. Ferris*, 214 U. S. 71, 79.

No. 287. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Board of Railroad Commissioners of the State of South Dakota. In error to the Supreme Court of the State of South Dakota. *Per curiam*: Dismissed for the want of jurisdiction upon the authority of *McCain v. Des Moines*, 174 U. S. 128, 181; *Western Union Telegraph Company v. Ann Arbor R. R. Co.*, 178 U. S. 239, 243; *Spencer v. Duplan Silk Company*, 191 U. S. 526, 530; *Shulthis v. McDougal*, 225 U. S. 561, 569; *Hull v. Burr*, 234 U. S. 712, 720; *Norton v. Whitesides*, 239 U. S. 144, 147.

No. 1086. Gulf, Mobile and Northern Railroad Company, petitioner, *v.* W. F. Wells. Petition for a writ of certiorari to the Supreme Court of the State of Mississippi granted.

No. 1091. B. A. Marlin, petitioner, *v.* John Lewallen and Lucy Condren. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 1094. Atlantic Coast Line Railroad Company, petitioner, *v.* Ida May Southwell, Administratrix of H. J. Southwell. Petition for a writ of certiorari to the Supreme Court of the State of North Carolina granted.

No. 1095. Compania General de Tabacos de Filipinas, petitioner, *v.* Collector of Internal Revenue. Petition for writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 1083. Ben L. Berwald Shoe Company, Bankrupt et al., petitioners, *v.* Hamilton-Brown Shoe Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1084. David S. Seaman and Henry L. Seaman, co-executors under the Last Will and Testament of John W. Seaman, deceased, petitioners, *v.* Richard McCulloch, Henry S. Priest, Festus J. Wade, et al., etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1090. Fred E. Kling, petitioner, *v.* Fritz Haring. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1093. Alvaro Boera and Ramon J. Boera, copartners, doing business under the firm name and style of Boera Brothers, petitioners, *v.* steamship *Skipsea*, her engines, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1103. Stromberg Motor Devices Company, petitioner, *v.* Beneke & Kropf Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1104. Stromberg Motor Devices Company, petitioner, *v.* Beneke & Kropf Manufacturing Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1106. City of Atlanta, petitioner, *v.* Mrs. Corinne S. Smith. Petition for a writ of certiorari to the Supreme Court of the State of Georgia denied.

No. 1107. Columbia Insurance Company of New Jersey, Newark Fire Insurance Company, Inc., of Newark, N. J., Security Insurance Company of New Haven, Conn., et al., petitioners, *v.* The Mart Waterman Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1108. The Buckeye Iron & Brass Works, petitioner, *v.* Alfred W. French and The French Oil Mill Machinery Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1109. James Murray, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1110. William J. Fahy, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

The Chief Justice also announced that the call of the docket will be suspended for the term on Friday, May 7 next. The court will take a recess from Monday, May 10, until Monday, May 24 next.

No. 1067. Charles H. Graves, plaintiff in error, *v.* The State of Minnesota. Leave granted to file statement of points relied upon and designation of parts of the record to be printed, upon motion of Mr. Walter Newton in behalf of counsel for the plaintiff in error.

No. —, original. *Ex parte*: In the matter of Edward F. Brown, petitioner. Motion for leave to file petition for writ of mandamus submitted by Mr. C. C. McChord and Mr. Conrad W. Crooker for the petitioner.

No. 1171. Market Street Railway Company, appellant, *v.* Pacific Gas & Electric Company, The Railroad Commission of California et al. Appeal from the District Court of the United States for the Northern District of California. Docketed and dismissed without costs on motion of Mr. Alexander T. Vogelsang in behalf of counsel.

No. 357. The Louisville and Nashville Railway Company, appellant, *v.* The United States. Continued per stipulation, on motion of Mr. Benjamin Carter in that behalf.

No. 66. John C. Rose, plaintiff in error, *v.* The State of South Dakota. Submitted under the 23rd rule by Mr. U. S. G. Cherry and Mr. Holton Davenport for the plaintiff in error, and by Mr. Byron S. Payne for the defendant in error.

No. 1097. New York & Pennsylvania Company et al., petitioners, *v.* James C. Davis, Director General et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Arthur B. Hayes for the petitioners, and by Mr. Sharswood Brinton and Mr. John Hampton Barnes for the respondents.

No. 1098. Mountain Lumber Company et al., petitioners, *v.* James C. Davis, Director General et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Arthur B. Hayes for the petitioner, and by Mr. Walter C. Noyes and Mr. George H. Richards for the respondents.

No. 1100. Frank Oreb, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Frank Oreb, *pro se*, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. John J. Byrne for the respondent.

No. 1102. Fort Dearborn Coal Company, petitioner, *v.* The Borderland Coal Sales Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Walter K. Sibbald for the petitioner, and by Mr. Norwood J. Utter for the respondent.

No. 1114. The Niagara Laundry & Linen Supply Company et al., petitioners, *v.* I. T. Kahn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. George B. Marty for the petitioner.

No. 1118. Charley Simpson, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. A. M. Belcher for the petitioner, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. K. L. Campbell for the respondent.

No. 1119. Ed Elman et al., petitioners, *v.* O. A. Moller, Master, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. J. L. Morewitz, Mr. Fayette B. Dow, and Mr. Silas B. Axtell for the petitioners.

No. 1120. Kushner & Gillman, Inc., petitioner, *v.* Mayflower Worsted Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Joseph G. M. Browne for the petitioner, and by Mr. William S. Hodges for the respondent.

No. 1122. Joe Johnson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. John S. Beard for the petitioners, and by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, and Mr. Byron M. Coon for the respondent.

No. 1123. New York Dock Company, petitioner, *v.* Lighter *M. L. C. No. 10*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach, Mr. Harper A. Holt, and Mr. Alex. J. Field for the petitioner, and by Mr. John L. Lotsch for the respondents.

No. 1124. New York Dock Company, petitioner, *v.* Lighter *Leviathan*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach, Mr. Harper A. Holt, and Mr. Alex. J. Field for the petitioner, and by Mr. John L. Lotsch for the respondents.

No. 1125. New York Dock Company, petitioner, *v.* Lighter *Southern Cross*, etc., et al. Petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach, Mr. Harper A. Holt, and Mr. Alex. J. Field for the petitioner, and by Mr. John L. Lotsch for the respondents.

No. 1126. Bush Terminal Company, petitioner, *v.* Lighter *Allan*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Joseph S. Auerbach, Mr. Harper A. Holt, and Mr. Alex. J. Field for the petitioner, and by Mr. John L. Lotsch for the respondents.

No. 1127. Richard H. Field, petitioner, *v.* The Kansas City Refining Company et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Richard H. Field for the petitioner.

No. 1129. Ng Lung ex rel. Lew Hung Get, petitioner, *v.* John P. Johnson, Commissioner. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Ng Lung, *pro se*, and Mr. John W. Keith for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1131. Jack C. Kolbrenner et al., petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Theodore Mack for the petitioner and by Mr. Solicitor General Mitchell, Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1132. William Earl Dodge et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit submitted by Mr. Daniel T. Hagan and Mr. Peter W. McKiernan for the peti-

tioner and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 1140. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v.* Mrs. Olena Moser, Administratrix. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas, submitted by Mr. Alexander Britton, Mr. J. W. Terry, and Mr. C. K. Lee for the petitioner.

No. 455. James Scott, plaintiff in error, *v.* Morris National Bank of Morris. Motion to dismiss submitted by Mr. E. J. McVann for the defendant in error in support of the motion, and by Mr. Lewis C. Lawson for the plaintiff in error in opposition thereto.

No. 302. C. A. P. Turner Company, appellant, *v.* The United States. Argument commenced by Mr. Benton Baker for the appellant. The court declined to hear further argument.

No. 305. Harold B. Fiske, plaintiff in error, *v.* The State of Kansas. Argued by Mr. A. M. Harvey for the plaintiff in error, and by Mr. C. B. Griffith for the defendant in error.

No. 306. The Chesapeake & Ohio Railway Company, petitioner, *v.* Annie Nixon, Administratrix of the Estate of Sam Joe Nixon, deceased. Argument commenced by Mr. S. H. Williams for the petitioner, continued by Mr. Duncan Drysdale for the respondent and concluded by Mr. Randolph Harrison for the petitioner.

Adjourned until to-morrow at 12 o'clock.

The day call for Tuesday, May 4, will be as follows: Nos. 304, 307, 308, 309, 713, 312, 313, 316, 317, and 318.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Howard M. Lewis, of Plentywood, Mont.; Harry Tom King, of Abilene, Tex.; Daniel A. Dunning, of Boise, Idaho; Samuel M. Driver, of Waterville, Wash.; Frank E. Barrows, of New York City; and Wallace E. Crowley, of Boston, Mass., were admitted to practice.

No. 295. Henry P. Keith, Late Collector of United States Internal Revenue for the First Collection District of New York, petitioner, *v.* Emma B. Johnson, as Administratrix of the Goods, Chattels, and Credits which were of John B. Johnson, deceased. Mandate granted on motion of Mr. Frederick S. Tyler in that behalf.

No. 316. S. H. Davis, J. A. White, and Annie White, plaintiffs in error, *v.* Alice Williford, Allie Griffin, Rosie Williford, et al. Submitted by Mr. Charles J. Kappler for the plaintiffs in error. No appearance entered for the defendant in error.

No. 304. William H. Maxwell and Globe Indemnity Company, plaintiffs in error, *v.* The United States of America. Argument commenced by Mr. George A. King for the plaintiff in error and continued by Mr. Christie Benet for the plaintiff in error. The court declined to hear further argument.

No. 307. Ed. Raffel *v.* The United States of America. Submitted by Mr. George B. Martin for Ed. Raffel, and by Mr. Solicitor General Mitchell and Mr. Alfred A. Wheat for The United States of America.

No. 308. Charles E. Fenner, Alpheus C. Beane, Edmund J. Glenny, et al., appellants, *v.* John A. Boykin and James I. Lowry. Argument commenced by Mr. Arthur G. Powell for the appellants, continued by Mr. Hooper Alexander for the appellees, and concluded by Mr. Thomas W. Hardwick for the appellants.

No. **309**. José Alejandrino, petitioner, *v.* Manuel L. Quezon, Isebelo de Los Reyes, Sanitago Fonacier, et al. Submitted by Mr. Claro M. Recto for the petitioner. No brief filed for the respondents.

No. **713**. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* United States ex rel. G. Thomas Birkenstock and Gerald Ronon, Executors, etc. Argued by Mr. T. H. Lewis for the petitioner, and by Mr. James C. Peacock for the respondents.

No. **312**. Western Paper Makers' Chemical Company and Tanglefoot Company, appellants, *v.* The United States of America and the Interstate Commerce Commission. Argument commenced by Mr. Harry C. Howard for the appellants.

Adjourned until to-morrow at 12 o'clock.

The day call for Wednesday, May 5, will be as follows: Nos. **312, 313, 317, 318, 319, 324, 325, 326, 330, and 332.**

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Jules H. Tallichet, of Houston, Tex.; A. B. Cole, of Brownsville, Tex.; Ben. D. Oliensis, of Philadelphia, Pa.; Arthur H. Stetson, of New York City; James P. Rossiter, of Erie, Pa.; Robert J. Whalen, of Washington, D. C.; Charles C. McCall, of Montgomery, Ala.; and Frank A. Bernero, of New York City, were admitted to practice.

No. 325. Marblehead Land Company, plaintiff in error, *v.* County of Los Angeles et al. Continued per stipulation of counsel.

No. 330. Sacramento Navigation Company, petitioner, *v.* Milton H. Salz, doing business as E. Salz & Son. Continued per stipulation of counsel.

No. 332. W. T. Waggoner Estate et al., appellants, *v.* Wichita County et al. Continued per stipulation of counsel.

No. 312. Western Paper Makers' Chemical Company et al., appellants, *v.* The United States of America et al. Argument continued by Mr. Harry C. Howard for the appellants, by Mr. Blackburn Esterline for the United States, by Mr. P. J. Farrell for the Interstate Commerce Commission, and concluded by Mr. Harry C. Howard for the appellants.

No. 313. Booth Fisheries Company et al., plaintiffs in error, *v.* Industrial Commission of the State of Wisconsin et al. Argument commenced by Mr. George A. Schneider for the plaintiffs in error. The Court declined to hear further argument.

No. 317. Charles Hammer, petitioner, *v.* The United States of America. Argued by Mr. Robert H. Elder for the petitioner, and by Mr. Gardner P. Lloyd for the respondent.

No. 318. Max Henkels, appellant, *v.* Howard Sutherland, As Alien Property Custodian et al. Argument commenced by Mr. Herbert R. Limburg for the appellant.

Adjourned until to-morrow at 12 o'clock.

The day call for Thursday, May 6, will be as follows: Nos. 318, 319, 324, 326, 333, 334, 338, 345, 346 and 347, and 348.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Ezra G. Benedict Fox, of New York City; Emory H. Niles, of Baltimore, Md.; Arvid B. Tanner, of Chicago, Ill.; Javier Gonzalez, of Manila, P. I.; and Thomas A. Jenkins, of Ironton, Ohio, were admitted to practice.

No. 338. Haeussler Investment Company, plaintiff in error, *v.* Charles W. Bates. Submitted by Mr. Lambert E. Walther, Mr. John S. Leahy, and Mr. Walter H. Saunders for the plaintiff in error and by Mr. Charles W. Bates for the defendant in error.

No. 481. Fruin Bambrick Construction Company et al., plaintiffs in Error, *v.* Charles W. Bates. Submitted pursuant to stipulation of counsel providing that this case shall abide the decision in case No. 338.

No. 348. The United States of America, plaintiff in error, *v.* The Minnesota Mutual Investment Company. Submitted by Mr. Blackburn Esterline, Mr. Solicitor General Mitchell, and Mr. Gardiner P. Lloyd for the plaintiff in error and by Mr. Edwin H. Park for the defendant in error.

No. 318. Max Henkels, appellant, *v.* Howard Sutherland, as Alien Property Custodian, and Frank White, as Treasurer of the United States of America. Argument continued by Mr. Herbert R. Limburg for the appellant and concluded by Mr. Dean Hill Stanley for the appellees.

No. 319. Wachovia Bank & Trust Company, Administrator, etc., plaintiffs in error, *v.* R. A. Doughton, Commissioner of Revenue of the State of North Carolina. Argued by Mr. William M. Hendren for the plaintiffs in error and by Mr. Dennis G. Brummitt for the defendant in error.

No. 324. Home Furniture Company, George H. Park and James F. Kilcrease, etc., appellants, *v.* The United States of America, The Interstate Commerce Commission, The Southern Pacific Company et al. Argued by Mr. J. P. Blair for the appellee, the Southern Pacific Company et al., and case submitted by Mr. Joseph U. Sweeney and Mr. Edward C. Wade, jr., for the appellants, by Mr. Blackburn Esterline and Mr. Solicitor General Mitchell for appellee, the United States of America, and by Mr. P. J. Farrell for appellee, the Interstate Commerce Commission.

No. 326. Morse Dry Dock and Repair Company, petitioner, *v.* Steamship *Northern Star*, her engines, etc., et al. Argument commenced by Mr. A. H. Stetson for the petitioner and continued by Mr. Frank A. Bernero for the respondent.

Adjourned until to-morrow at 12 o'clock.

The day call for Friday, May 7, will be as follows: Nos. 326, 333, 334, 345, 346 (and 347), 349, 351, 358, 359, and 360.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Thomas C. Mapother, of Louisville, Ky.; Talmage L. Smith, of Reno, Nev.; Joseph P. Hector, of Chicago, Ill.; H. Clair Jackson, of Kalamazoo, Mich.; Louis E. Spiegler, of Washington, D. C.; Hulon Capshaw, of New York City; Robert D. Murphy, of Washington, D. C.; John S. Kuzmack, of Chicago, Ill.; and Clarence V. Opper, of New York City, were admitted to practice.

No. 173. Frank K. Bowers, Collector, etc., plaintiff in error, *v.* Kerbaugh-Empire Company. Mandate granted on motion of Mr. Harvey D. Jacob in that behalf.

No. 326. Morse Dry Dock & Repair Company, petitioner, *v.* Steamship *Northern Star*, etc., et al. Argument continued by Mr. Frank A. Bernero for the respondents and concluded by Mr. A. H. Stetson for the petitioner.

No. 333. Ma-King Products Company, appellant, *v.* David H. Blair, Commissioner of Internal Revenue. Argued by Mr. B. D. Oliensis for the appellant, and by Assistant Attorney General Willebrandt for the appellee.

No. 334. Berizzi Brothers Company, appellant, *v.* The Steamship *Pesaro*, her engines, boilers, etc., et al. Argued by Mr. Oscar R. Houston for the appellant and by Mr. Homer L. Loomis for the appellees.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Myron H. Walker, of Grand Rapids, Mich.; Conrad W. Crooker, of Boston, Mass.; William Saulsbury, of Wilmington, Del.; John H. Matthews, of Columbus, Ohio; Ralph F. Fuchs, of Washington, D. C.; Earle D. Crammond, of Washington, D. C.; William A. Hughes, of Washington, D. C.; Wilford W. Neilson, of Jackson, Wyo.; David H. Keedy, of Amherst, Mass.; and M. A. Diskin, of Carson City, Nev., were admitted to practice.

No. 251. Joseph Leiter, Nancy Lathrop Carver Campbell, et al., Trustees, etc., appellants, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sanford.

No. 169. The United States of America, plaintiff in error, *v.* Solomon Noveck. In error to the District Court of the United States for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Butler.

No. 278. R. H. Hassler, Inc., plaintiff in error, *v.* David C. Shaw. In error to the District Court of the United States for the Eastern District of South Carolina, transferred from the United States Circuit Court of Appeals for the Fourth Circuit. Judgment reversed with costs and cause remanded to the said district court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Holmes.

The Chief Justice announced the following orders of the court:
—, original. Ex parte: Edward F. Brown. Motion for leave to file petition for mandamus to the District Court of the United States for the district of Massachusetts. Per curiam: Application for leave to file petition for a writ of mandamus to compel Judge Peters of the District Court of the United States for the District of Massachusetts

to allow a direct appeal to this court on a question of jurisdiction, the appeal having been applied for before the effective date of the act of February 13, 1925, 43 Stat. 936, denied upon the authority of *Smith v. McKay*, 161 U. S. 355, 358.

No. 455. James Scott, plaintiff in error, *v. Morris National Bank, of Morris*. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Company v. Carrollton*, 252 U. S. 1, 5-6; (2) *Missouri v. Andriano*, 138 U. S. 496; *Rae v. Homestead Loan & Guaranty Company*, 176 U. S. 121; *Baker v. Baldwin*, 187 U. S. 61.

No. 66. John C. Ross, plaintiff in error, *v. The State of South Dakota*. In error to the Supreme Court of the State of South Dakota. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5-6; (2) *Farrell v. O'Brien*, 199 U. S. 89, 100; *Toop v. Ulysses Land Co.*, 237 U. S. 580, 583; *Piedmont Power & Light Co. v. Town of Graham*, 253 U. S. 193, 195; *Seaboard Air Line v. Padgett*, 236 U. S. 668, 671; (3) *Missouri v. Lewis*, 101 U. S. 22, 31.

No. 302. C. A. P. Turner Company, appellant, *v. The United States*. Appeal from the Court of Claims. Per curiam: Affirmed upon the authority of *United States v. Smith*, 94 U. S. 214, 218; *Talbert v. United States*, 155 U. S. 45; *Stone v. United States*, 164 U. S. 380, 382; *United States v. Milliken Printing Co.*, 202 U. S. 173, 174; *Keokuk & Hamilton Bridge Co. v. United States*, 260 U. S. 125, 126.

No. 304. William H. Maxwell and Globe Indemnity Company, plaintiffs in error, *v. The United States of America*. In error to the United States Circuit Court of Appeals for the Fourth Circuit. Per curiam: Affirmed upon the authority of *The Harriman*, 9 Wall. 161, 172; *Jones v. United States*, 96 U. S. 24, 29; *Jacksonville, Mayport, Pablo Ry. & Nav. Co. v. Hooper*, 160 U. S. 514, 527; *Globe Refining Co. v. Landa Cotton Oil Co.*, 190 U. S. 540, 543-544; *Carnegie Steel Co. v. United States*, 240 U. S. 156, 164; *Day v. United States*, 245 U. S. 159, 161.

No. 338. Haeussler Investment Company, plaintiff in error, *v. Charles W. Bates*; and

No. 481. Fruin Bambrick Construction Company, Third Street Realty & Investment Company, Compton Hill Improvement Company et al., plaintiffs in error, *v. Charles W. Bates*. In error to the Supreme Court of the State of Missouri. Per curiam: Affirmed

upon the authority of *Withnell v. Ruecking Construction Co.*, 249 U. S. 63, 69; *Hancock v. City of Muskogee*, 250 U. S. 454, 456; *Goldsmith v. Prendergast Construction Co.*, 252 U. S. 12; (2) *Valley Farms Co. v. Westchester County*, 261 U. S. 155.

No. 1132. William Earl Dodge and Joshua T. Dodge, petitioners, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit granted.

No. 1140. Gulf, Colorado & Santa Fe Railway Company, petitioner, *v. Mrs. Olena Moser, Administratrix*. Petition for a writ of certiorari to the Court of Civil Appeals for the Third Supreme Judicial District of the State of Texas granted.

No. 1097. New York and Pennsylvania Company, Armstrong, Forest Company, Inc., and West Virginia Pulp and Paper Company, petitioners, *v. James C. Davis, Director General of Railroads and Agent of the United States, et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 1098. Mountain Lumber Company, The D'Auteuil Lumber Company, Ltd., New York and Pennsylvania Company, petitioners, *v. James C. Davis, Director General of Railroads and Agent of the United States, and The Delaware and Hudson Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1100. Frank Oreb, petitioner, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1102. The Dearborn Coal Company, petitioner, *v. The Borderland Coal Sales Company*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1114. The Niagara Laundry & Linen Supply Company et al., petitioners, *v. I. T. Kahn et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1118. Charley Simpson, petitioner, *v. The United States of America*. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1119. Ed Elman, F. Kecknie, A. Knutsen, and J. Tornberg, petitioners, *v. O. A. Moller, Master of Steamship *Roxen*, O. A. Moller, Rederiaktieb Transatlantic et al.* Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1120. Kushner & Gilman, Inc., petitioner, *v.* Mayflower Worsted Company. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1122. Joe Johnson and Henry Pius, alias Hindlegs, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1123. New York Dock Company, petitioner, *v.* Lighter *M. L. C. No. 10*, her tackle, etc., Marine Equipment Corporation and Marine Lighterage Corporation et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1124. New York Dock Company, petitioner, *v.* Lighter *Leviathan*, her tackle, etc., The Atlantic Lighterage Corporation, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1125. New York Dock Company, petitioner, *v.* Lighter *Southern Cross*, her engines, etc., The Atlantic Lighterage Corporation, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1126. Bush Terminal Company, petitioner, *v.* Lighter *Allan*, her tackle, etc., Henry Gillen Sons Lighterage Company, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1127. Richard H. Field, petitioner, *v.* The Kansas City Refining Company, The Kansas City Railways Company, Fred W. Fleming et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1129. Ng Lung ex rel. Lew Hung Get, petitioner, *v.* John P. Johnson, United States Commissioner of Immigration. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit denied.

No. 1131. Jack C. Kolbrenner, Art Kolbrenner, and Menard Kolbrenner, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

The Chief Justice also announced the following order of the court:

The court will take a recess from to-day until Monday, May 24; from that day until Tuesday, June 1; and from June 1 to Monday, June 7, upon which day it will adjourn for the term.

No petitions for writs of certiorari and no motions, except motions for admission to practice, will be received after Tuesday, June 1.

No. 17, original. United States of America, complainant, *v.* The State of Minnesota. Proposed form of decree submitted by Mr. Solicitor General Mitchell for the complainant and by Mr. Clifford L. Hilton, Mr. G. A. Youngquist, and Mr. Montreville J. Brown for the defendant.

No. 1085. Charles H. Spear et al., constituting the Board of State Harbor Commissioners of the State of California, plaintiffs in error, *v.* The United States of America. Leave granted to file statement of points relied upon and designation of parts of the record to be printed on motion of Mr. Richard H. Wilmer on behalf of Mr. U. S. Webb for the plaintiffs in error.

No. 11, original. The State of Nevada, complainant, *v.* Crown Willamette Paper Company. Motion for the appointment of Commissioners to take testimony and proofs in this cause submitted by Mr. M. A. Diskin, Mr. William C. Prentiss, and Mr. George B. Thatcher for the complainant, consented to by Mr. Oscar Sutro and Mr. W. H. Orrick for the defendant. Motion granted and it is ordered that Francis Cunningham, Esq., of Sparks, Nev., and Leo A. Murasky, Esq., of San Francisco, Calif., be, and they are hereby, appointed commissioners in this cause.

No. 1135. Interstate Busses Corporation, appellant, *v.* The Holyoke Street Railway Company et al. Motion for temporary restraining order pending appeal and motion to advance cause for argument submitted by Mr. Edward H. Kelly and Mr. Augustine Lonergan for the appellant in support of the motions, and by Mr. William H. Brooks and Mr. David H. Keedy for the appellees in opposition thereto.

No. 1150. W. J. Foye Lumber Company, petitioner, *v.* The Pennsylvania Railroad Company. Leave granted to file brief of respondent in opposition to the petition for writ of certiorari on or before Monday, May 17, on motion of Mr. G. Bowdoin Craighill in behalf of counsel for the respondent.

No. 194. Old Colony Trust Company, as Trustee, appellant, *v.* The City of Seattle, County of King, et al., etc., et al. Supplemental motion to dismiss submitted by Mr. John F. Miller in behalf of Mr. Howard A. Hanson, and Mr. Thomas J. L. Kennedy, for the appellees in support of the motion, and by Mr. James B. Howe for the appellant in opposition thereto.

No. —, original. Ex parte: In the matter of Norman T. Whitaker, petitioner. Motion for leave to file petition for writ of mandamus, or in the alternative for a writ of certiorari submitted by counsel in behalf of petitioner.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Time within which to present proposed form of decree extended per stipulation of counsel.

No. 1128. Andrew P. Vought, petitioner, *v.* K. K. Kanne, Trustee in Bankruptcy of the Estate of Andrew P. Vought, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Charles Bunn for the petitioner.

No. 1130. A. C. MacFarland, petitioner, *v.* W. D. Haden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. M. G. Adams and Mr. C. W. Howth for the petitioner.

No. 1134. The Mutual Life Insurance Company of New York, petitioner, *v.* Winnie G. Dodge. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Frederick L. Allen, Mr. Randolph Barton, jr., and Mr. Forrest Bramble for the petitioner, and by Mr. Alfred S. Niles for the respondent.

No. 1136. Sandoz Chemical Works, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals submitted by Mr. Allan R. Brown for the petitioner and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Lawrence for the respondent.

No. 1137. The Simplex Window Company, petitioner, *v.* Fred Hauser, doing business under the firm name and style of Hauser Window Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William S. Hodges for the petitioner, and by Mr. Lester Wood for the respondent.

No. 1138. T. H. Deal and United States Fidelity and Guaranty Company of Baltimore, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Louis S. Beedy for the petitioners and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. J. Kennedy White for the respondent.

No. 1139. St. Louis-San Francisco Railway Company, petitioner, *v.* State of Oklahoma and Oklahoma Portland Cement Company. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma submitted by Mr. E. T. Miller, Mr. C. B. Stuart, Mr. J. F. Sharp, Mr. M. K. Cruce, Mr. Ben Franklin, and Mr. Thomas P. Littlepage for the petitioner.

No. 1147. A. W. Mellon, Director General of Railroads and Agent of the President, petitioner, *v.* L. E. McKinley. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky submitted by Mr. Ashby M. Warren for the petitioner, and by Mr. Thomas C. Mapother for the respondent.

No. 1148. Wallace Addressing Machine Company, Inc., petitioner, *v.* Edwin D. Belknap and Rapid Addressing Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Livingston Gifford and Mr. E. Clarkson Seward for the petitioner, and by Mr. Samuel Owen Edmonds and Mr. A. Parker Smith for the respondent.

No. 1149. Nitro Development Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. John W. Davis and Mr. E. B. Dyer for the petitioner and by Mr. Solicitor General Mitchell and Mr. Alfred A. Wheat for the respondent.

No. 1151. Armour & Company, petitioner, *v.* The Belton National Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Mark McMahon for the petitioner.

No. 1155. Minneapolis, St. Paul and Sault Sainte Marie Railway Company et al., petitioners, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Jesse C. Adkins, Mr. Julius I. Peyser, and Mr. George F. Snyder for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. J. Kennedy White for the respondent.

No. 1156. New York Central Railroad Company et al., petitioners, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Jesse C. Adkins, Mr. Julius I. Peyser, and Mr. George F. Snyder for the petitioners and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. J. Kennedy White for the respondent.

No. 1162. Thomas K. Ober, Jr., and William C. Willard, Ancillary Receivers of International Note and Mortgage Company, petitioners, *v.* Thomas Raeburn White, Receiver of the R. L. Dollings Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit submitted by Mr. Owen J. Roberts, Mr. Maurice Bower Saul, and Mr. Henry A. Williams for the petitioners, and by Mr. Thomas Raeburn White for the respondent.

Adjourned until Monday, May 24 next, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

DeWitt W. Ostrander, of Clintondale, N. Y.; George E. Bradbury, of Cleveland, Ohio; Murdock A. Campbell, of Northfield, Vt.; John M. Wolverton, of Richwood, W. Va.; J. Newton Rayzor, of Houston, Tex.; Charles W. Taylor, of Glenwood Springs, Colo.; Carl S. Jefferson, of Chicago, Ill.; Walter A. Brown, of Jasper, Ala.; Dayton Moses, of Fort Worth, Tex.; Clarence T. Lowell, of Minneapolis, Minn.; John M. Eckley, of McLeansboro, Ill.; Fred C. Knollenberg, of El Paso, Tex.; Fred C. Dorsey, of Harrington, Wash.; Henry F. Long, of Topsfield, Mass.; Janie Elizabeth Newton, of Gibson, N. C.; Daniel W. Sullivan, of Milwaukee, Wis.; Eugene Wengert, of Milwaukee, Wis.; and Douglas O. Morgan, of Washington, D. C., were admitted to practice.

No. 264. St. Louis-San Francisco Railway Company, petitioner, *v.* Odell Mills, as Administratrix of the Estate of Ira S. Mills, deceased. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment reversed with costs, and cause remanded to the District Court of the United States for the Northern District of Alabama for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone.

No. 713. David H. Blair, Commissioner of Internal Revenue, petitioner, *v.* United States ex rel. G. Thomas Birkenstock and Gerald Ronon, Executors, etc. On writ of certiorari to the Court of Appeals of the District of Columbia. Judgment reversed with costs, and cause remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Stone.

No. 726. The United States of America, plaintiff in error, *v.* Jacob Katz and George Senn; and

No. 727. The United States of America, plaintiff in error, *v.* Jacob Katz and Herman Feuerstein. In error to the District Court of

the United States for the Eastern District of Pennsylvania. Judgments affirmed. Opinion by Mr. Justice Stone. Dissenting: Mr. Justice Brandeis.

No. 292. W. W. Hay, plaintiff in error, *v.* The May Department Stores Company and William McCormick. In error to the District Court of the United States for the Eastern District of Missouri. Judgment reversed with costs, and cause remanded to the said District Court with direction to remand it to the Circuit Court of St. Louis. Opinion by Mr. Justice Sanford.

No. 104. Irene Hand Corrigan and Helen Curtis, otherwise known as Mrs. A. L. Curtis, appellants, *v.* John J. Buckley. Appeal from the Court of Appeals of the District of Columbia. Dismissed for want of jurisdiction. Opinion by Mr. Justice Sanford.

No. 790. The United States of America *v.* John E. Zerbey and National Surety Company. On certificate from the United States Circuit Court of Appeals for the Third Circuit. Questions answered as follows: A permit bond on Form 738 is not a bond for a penalty forfeitable in its entire amount upon a breach of condition, but is a bond for indemnity securing the payment of the Internal Revenue taxes, interest, penalties, and liabilities accruing to the United States by reason of the breach. Opinion by Mr. Justice Sanford.

No. 120. Ephraim Lederer, Formerly Collector of Internal Revenue, *v.* Mary A. McGarvey, Executrix of the Estate of Francis O'Kane. On certificate from the United States Circuit Court of Appeals for the Third Circuit. Certificate dismissed. Opinion by Mr. Justice Sanford.

No. 205. Missouri, Kansas & Texas Railway Company and United States Fidelity and Guaranty Company, plaintiffs in error, *v.* The State of Oklahoma and The City of McAlester, Oklahoma. In error to the Supreme Court of the State of Oklahoma. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler.

No 864. The United States, appellant, *v.* The Pittsburgh & West Virginia Railway Company and The West Side Belt Railroad Company; and

No. 865. The Pittsburgh & West Virginia Railway Company and the West Side Belt Railroad Company, appellants, *v.* The United States. Appeals from the Court of Claims. Judgment reversed, and cases remanded to the said Court of Claims for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 816. Clarence C. Culver, petitioner, *v.* The United States. On writ of certiorari to the Court of Claims. Judgment reversed, and cause remanded to the said Court of Claims for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 232. Howard Sutherland, as Alien Property Custodian, appellant, *v.* Richard Mayer, Edwin Reis, Karl B. Strauss, et al., etc.;

No. 233. Richard Mayer, appellant, *v.* Howard Sutherland, Alien Property Custodian, Edwin Reis, Karl B. Strauss, et al., etc., and

No. 234. Edwin Reis, Karl B. Strauss, and Anny Reis, etc., appellants, *v.* Richard Mayer and Howard Sutherland, as Alien Property Custodian. Appeals from the United States Circuit Court of Appeals for the First Circuit. Decree reversed in part and affirmed in part, and cause remanded to the District Court of the United States for the District of Massachusetts for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 318. Max Henkels, appellant, *v.* Howard Sutherland, as Alien Property Custodian, and Frank White, as Treasurer of the United States of America. Appeal from the United States Circuit Court of Appeals for the Second Circuit. Decree reversed with costs, and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. 244. The Alabama & Vicksburg Railway Company, Canal Commercial Trust & Savings Bank, Felix E. Gunter, et al., plaintiffs in error, *v.* Jackson & Eastern Railway Company. In error to the Supreme Court of the State of Mississippi. Writ of certiorari denied. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 257. Chicago and North Western Railway Company, petitioner *v.* Alvin R. Durham Company and Fred S. Larson, alias Fred M. Larson. On writ of certiorari to the Supreme Court of the State of Michigan. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 271. Turner, Dennis & Lowry Lumber Company, plaintiff in error, *v.* Chicago, Milwaukee & St. Paul Railway Company. In error to the District Court of the United States for the Western

District of Missouri. Judgment affirmed with costs. Opinion by Mr. Justice Brandeis.

No. 282. The United States, appellant, *v.* Wyckoff Pipe & Creosoting Company, Inc. Appeal from the Court of Claims. Judgment reversed, and cause remanded to the said Court of Claims for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Brandeis.

No. 312. Western Paper Makers' Chemical Company and Tanglefoot Company, appellants, *v.* The United States of America and The Interstate Commerce Commission. Appeal from the District Court of the United States for the Western District of Michigan. Decree affirmed. Opinion by Mr. Justice Brandeis.

No. 239. Sperry Gyroscope Company, appellant, *v.* Arma Engineering Company. Appeal from the District Court of the United States for the Eastern District of New York. Decree reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 272. Andrew W. Mellon, Director General, Agent U. S. Railroad Administration (Grand Rapids and Indiana Railroad), appellant, *v.* Michigan Trust Company, Receiver of Rathbone Manufacturing Company. Appeal from and on writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. Appeal dismissed, the case being properly here on writ of certiorari. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Michigan for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice McReynolds.

No. 308. Charles E. Fenner, Alpheus C. Beane, Edmund J. Glenny, et al., appellants, *v.* John A. Boykin and James I. Lowry. Appeal from the District Court of the United States for the Northern District of Georgia. Decree affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 163. The Virginian Railway Company, petitioner, *v.* A. J. Mullens. On writ of certiorari to the Circuit Court of Wyoming County, State of West Virginia. Judgment reversed with costs, and cause remanded to the said Circuit Court of Wyoming County for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Van Devanter.

No. 274. General Investment Company, appellant, *v.* The New York Central Railroad Company. Appeal from the District Court of the United States for the Northern District of Ohio. Decree

reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. Mr. Justice Sutherland took no part in the consideration or decision of this case.

No. 306. The Chesapeake & Ohio Railway Company, petitioner, *v.* Annie Nixon, Administratrix of the Estate of Sam Joe Nixon, deceased. On writ of certiorari to the Supreme Court of Appeals of the State of Virginia. Judgment reversed with costs, and cause remanded to the said Supreme Court of Appeals for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Holmes.

No. 313. Booth Fisheries Company and Zurich General Accident & Liability Company, Ltd., plaintiffs in error, *v.* Industrial Commission of the State of Wisconsin and Mary McLaughlin. In error to the Supreme Court of the State of Wisconsin. Judgment affirmed with costs. Opinion by Mr. Chief Justice Taft.

No. 348. The United States of America, plaintiff in error, *v.* The Minnesota Mutual Investment Company. In error to the District Court of the United States for the District of Colorado. Judgment reversed, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 17, original. The United States of America, complainant, *v.* State of Minnesota. Final decree entered.

No. 1135. Interstate Busses Corporation, appellant, *v.* The Holyoke Street Railway Company, Major Beckman, Melvin Graves, et al. Motion for temporary restraining order herein is denied; the motion to advance this case is granted and cause assigned for argument on Monday, October 4 next, after the cases heretofore assigned for that day.

No. —, original. *Ex parte:* Norman T. Whitaker, petitioner. Motion for leave to file petition for writ of mandamus or certiorari herein is denied.

No. —, original. *Ex parte:* Hugh H. Newell, petitioner. Motion for leave to file petition for writ of habeas corpus is denied.

No. 473. The United States of America, petitioner, *v.* One Ford Coupe Automobile, No. 4776501, Alabama License No. 10978, Garth Motor Company, Claimant; and

No. 611. Port Gardner Investment Company *v.* The United States of America. It is ordered that these cases be, and they are hereby, restored to the docket for reargument and assigned for Monday, October 4 next, after the cases heretofore assigned for that day.

No. 1128. Andrew P. Vought, petitioner, *v.* K. K. Kanne, Trustee in Bankruptcy of the Estate of Andrew P. Vought, Bankrupt. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 1138. T. H. Deal and United States Fidelity and Guaranty Company of Baltimore, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit granted.

No. 1139. St. Louis-San Francisco Railway Company, petitioner, *v.* State of Oklahoma and Oklahoma Portland Cement Company. Petition for a writ of certiorari to the Supreme Court of the State of Oklahoma granted.

No. 1147. A. W. Mellon, Director General of Railroads and Agent of the President, petitioner, *v.* L. E. McKinley. Petition for a writ of certiorari to the Court of Appeals of the State of Kentucky granted.

No. 1130. A. C. MacFarland, petitioner, *v.* W. D. Haden et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1134. The Mutual Life Insurance Company of New York, petitioner, *v.* Winnie G. Dodge. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1136. Sandoz Chemical Works, petitioner, *v.* The United States. Petition for a writ of certiorari to the United States Court of Customs Appeals denied.

No. 1137. The Simplex Window Company, petitioner, *v.* Fred Hauser, doing business under the firm name and style of Hauser Window Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1148. Wallace Addressing Machine Company, Inc., petitioner, *v.* Edwin D. Belknap and Rapid Addressing Machine Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1149. Nitro Development Company, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1151. Armour & Company, petitioner, *v.* The Belton National Bank. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1155. Minneapolis, St. Paul and Sault Sainte Marie Railway Company, New York Central Railroad Company, et al., petitioners, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1156. New York Central Railroad Company, Michigan Central Railway Company, Vermont Central Railway, et al., petitioners, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1162. Thomas K. Ober, jr., and William C. Willard, Ancillary Receivers of International Note and Mortgage Company, petitioners, *v.* Thomas Raeburn White, Receiver of the R. L. Dollings Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit denied.

No. 814. D. H. Brasfield et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 838. Cologero Fasulo, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 843. The United States of America, appellant, *v.* International Harvester Company et al. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellant.

No. 885. The United States of America, plaintiff in error, *v.* James W. McElvain et al. Motion to advance submitted by Mr. Solicitor General Mitchell for the plaintiff in error.

No. 924. The Virginian Railway Company, appellant, *v.* The United States of America et al.; and

No. 925. United States of America et al., appellants, *v.* The Virginian Railway Company. Motion to advance submitted by Mr. Solicitor General Mitchell for the United States of America, and by Mr. E. W. Knight, Mr. W. H. T. Loyall, and James W. Carmalt for the Virginian Railway Company, in opposition thereto.

No. 930. The United States of America et al., appellants, *v.* The New York Central Railroad Company. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellants.

No. 1016. C. A. Hudson et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 1132. William Earl Dodge et al., petitioners, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 1085. Charles H. Spear et al., etc., plaintiffs in error, *v.* The United States of America. Motion to dismiss submitted by Mr. Solicitor General Mitchell for the defendant in error in support of the motion, and by Mr. U. S. Webb for the plaintiff in error in opposition thereto.

In re disbarment of John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, Walter Holland, and Norman T. Whitaker. Report of the committee of the bar submitted by Mr. Solicitor General Mitchell.

No. 1163. Albert Ottinger, as Attorney General of the State of New York, appellant, *v.* Consolidated Gas Company of New York. Motion to advance submitted by Mr. Robert F. Cogswell in behalf of Mr. John A. Garver and Mr. William L. Ransom for the appellee.

No. 1203. R. B. Morris, doing business, etc., et al., appellants, *v.* William Duby et al. Motion for stay or in the alternative for the advancement of the case submitted by Mr. Robert F. Cogswell in behalf of Mr. W. R. Crawford and Mr. Edwin C. Ewing for the appellants in support of the motion and by Mr. I. H. Van Winkle and Mr. J. M. Devers for the appellees in opposition thereto.

No. 927. Ben C. Jones & Company, plaintiff in error, *v.* The West Publishing Company. Motion to reinstate case to the docket submitted by Mr. Robert F. Cogswell for the plaintiff in error.

No. 1163. Albert Ottinger, as Attorney General of the State of New York, appellant, *v.* Consolidated Gas Company of New York. Motion to advance submitted by Mr. John Holley Clark, jr., for the appellant.

No. 1164. Albert Ottinger, as Attorney General of the State of New York, appellant, *v.* The Brooklyn Union Gas Company. Motion to advance submitted by Mr. John Holley Clark, jr., for the appellant.

No. 1180. Albert Ottinger, as Attorney General of the State of New York, appellant, *v.* Kings County Lighting Company. Motion to advance submitted by Mr. John Holley Clark, jr., for the appellant.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, County Treasurer, etc. Motion for leave to file brief as *amici curiae* and to file motion to dismiss submitted by Mr. Elmer M. Leesman for the cities, villages, and taxing districts in the State of Illinois outside of Cook County.

No. —. A. Stanley Copeland, plaintiff in error, *v.* The United States of America. Motion for an order requiring the clerk of the United States Circuit Court of Appeals for the Second Circuit to make a return to the writ of error submitted by Mr. A. Stanley Copeland *pro se*.

No. 615. Herman A. Uihlein et al., plaintiffs in error, *v.* The State of Wisconsin et al. Motion to advance submitted by Mr. George P. Miller, Mr. Edwin S. Mack, and Mr. Arthur W. Fairchild for the plaintiff in error.

No. 304. William H. Maxwell and Globe Indemnity Company, plaintiffs in error, *v.* The United States of America. Mandate granted on motion of Mr. George A. King for the plaintiff in error.

No. 1012. Cornelius Anderson, suing on behalf of himself and all other seamen, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Motion to advance submitted by Mr. Woodson P. Houghton in behalf of Mr. H. W. Hutton for the petitioner.

No. 27, original. State of Michigan, complainant, *v.* State of Illinois and Sanitary District of Chicago. Motion to consolidate with No. 16, original, and for leave to file answer on or before June 1, submitted by Mr. Morton S. Cressy, and Mr. Hector A. Brouillet for the Sanitary District of Chicago, and Mr. Oscar E. Carlstrom, Mr. Cyrus E. Dietz, and Mr. Hugh S. Johnson for the State of Illinois.

No. 16, original. State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Motion for the appointment of a commissioner to take testimony submitted by Mr. Newton D. Baker in that behalf.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. Motion to stay mandate and to modify judgment submitted by Mr. Don F. Reed, Mr. Christie Benet, Mr. Wade H. Ellis, and Mr. Challen B. Ellis for the appellant.

No. 1051. Ben F. Wright, Auditor for the Philippine Islands, petitioner, *v.* Ynchausti and Company. Motion to advance submitted by Mr. Lawrence H. Cake and Mr. Alexander Britton for the respondent.

No. 1202. J. A. Walker and wife, Elizabeth Walker, petitioners, *v.* George C. Hopkins, as Collector of Internal Revenue. Motion for leave to file brief as *amici curiae* granted on motion of Mr. Stiles W. Burr in behalf of Mr. Fred B. Dodge and Mr. A. W. Clapp.

No. 884. Leslie Albert Porter, plaintiff in error, *v.* The City of Lewiston et al. Motion to reinstate case to the docket submitted by Mr. Stiles W. Burr in behalf of Mr. Robert B. Leeper for the plaintiff in error in support of the motion and by Mr. James E. Babb for the defendant in error in opposition thereto.

No. 913. Channon-Emery Stove Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Louis R. Mehlinger for the respondent.

No. 914. Mosler Metal Products Corporation, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Joseph Henry Cohen for the respondent.

No. 915. American Seating Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Thaddeus G. Benton for the respondent.

No. 916. Collier Manufacturing Company, Inc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the respondent.

No. 917. Ohio Public Service Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Raymond M. Hudson for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. George T. Stormont for the respondent.

No. 1111. The Lone Star Brewing Association, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. John W. Townsend, and Mr. James Craig Peacock for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. Alexander H. McCormick for the respondent.

No. 1141. Charles L. Fuller, petitioner, *v.* Steamship *Benclench*, her engines, etc., George McMillan, and Cunard Steamship Com-

pany, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank I. Finkler for the petitioner, and by Mr. Allan B. A. Bradley, Mr. Franklin Grady, Mr. Robert S. Erskine, and Mr. John M. Woolsey for the respondents.

No. 1142. Charles L. Fuller, petitioner, *v.* Steamship *Ellerdale*, her engines, etc., Edgar Calvert, and the Cunard Steamship Company, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Frank I. Finkler for the petitioner, and by Mr. Allan B. A. Bradley, Mr. Franklin Grady, Mr. Robert S. Erskine, and Mr. John M. Woolsey for the respondents.

No. 1143. Andrew W. Mellon, Director General of Railroads and Agent designated by the President, etc., petitioner, *v.* Wilbur E. Skinner. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. A. A. McLaughlin, Mr. E. T. Miller, and Mr. Henry S. Conrad for the petitioner, and by Mr. William S. Hogsett for the respondent.

No. 1144. Andrew W. Mellon, Director General of Railroads and Agent designated by the President, etc., petitioner, *v.* Victor H. Wilson. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. A. A. McLaughlin, Mr. E. T. Miller, and Mr. Henry S. Conrad for the petitioner, and by Mr. William S. Hogsett for the respondent.

No. 1145. Andrew W. Mellon, Director General of Railroads and Agent designated by the President, etc., petitioner, *v.* Warren R. Bennison. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. A. A. McLaughlin, Mr. E. T. Miller, and Mr. Henry S. Conrad for the petitioner, and by Mr. William S. Hogsett for the respondent.

No. 1146. Andrew W. Mellon, Director General of Railroads and Agent designated by the President, etc., petitioner *v.* Peter S. Stoneham. Petition for a writ of certiorari to the Supreme Court of the State of Missouri submitted by Mr. A. A. McLaughlin, Mr. E. T. Miller, and Mr. Henry S. Conrad, for the petitioner, and by Mr. William S. Hogsett for the respondent.

No. 1150. W. J. Foye Lumber Company, petitioner, *v.* The Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Matthew A. Hall and Mr. Raymond G. Young for the petitioner, and by Mr. Frederic D. McKenney for the respondent.

No. 1152. L. P. Summers, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. M. C. Elliott for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1154. L. Van Der Stegen, doing business under the firm name and style of The Belgian Trading Company, petitioner, *v.* Neuss, Hesslein & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Warren Gregory and Mr. Blair S. Shuman for the petitioner, and by Mr. Garret W. McEnerney for the respondent.

No. 1158. Mary C. March, petitioner, *v.* Vulcan Iron Works. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey submitted by Mr. Louis G. Morten for the petitioner, and by Mr. Mark Townsend, jr., for the respondent.

No. 1159. Produits Metallurgiques Anciens Etablissements Meiboom & Cie, Societe Anonyme, petitioner, *v.* Gulf Export & Transportation Company. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Henry G. Gray for the petitioner.

No. 1160. Chicago, Burlington & Quincy Railroad Company, petitioner, *v.* Wells-Dickey Trust Company, Special Administrator of the Estate of Elmer E. Anderson, deceased. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota submitted by Mr. Bruce Scott for the petitioner, and by Mr. F. M. Miner for the respondent.

No. 1161. The Baltimore & Ohio Railroad Company, petitioner, *v.* Dora Goodman, administratrix of the Estate of Nathan Goodman, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. William A. Eggers and Mr. Morison R. Waite for the petitioner, and by Mr. Lee Warren James for the respondent.

No. 1166. Ben W. Steele, Executor of Estate of A. B. Steele, deceased, petitioner, *v.* J. H. Drummond. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. D. Thomson and Mr. Harold Hirsch for the petitioner.

No. 1167. Roscoe D. Rand, petitioner, *v.* The National Bank of Newport. Petition for a writ of certiorari to the United States Cir-

cuit Court of Appeals for the Second Circuit submitted by Mr. Jasper N. Johnson for the petitioner.

No. 1168. M. Kananack & Company, Inc., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Benjamin Slade for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1169. Mueller Grain Company, petitioner, *v.* American State Bank of Omaha, Nebraska. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Walter Bachrach for the petitioner, and by Mr. Carl Meyer, Mr. Henry Russell Platt, and Mr. David F. Rosenthal for the respondent.

No. 1173. Juan Posados, jr., as Collector of Internal Revenue et al., etc., et al., petitioners, *v.* the City of Manila. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands submitted by Mr. L. H. Hedrick and Mr. O. R. McGuire for the petitioners, and by Mr. Alexander Britton and Mr. L. H. Cake for the respondent.

No. 1174. Olive S. McGrew, petitioner, *v.* John L. McGrew and Catherine D. McGrew. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Henry E. Davis for the petitioner.

No. 1175. Neufield T. Jones and Winfield Jones, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit submitted by Mr. Alvin L. Newmyer for the petitioner and by Mr. Solicitor General Mitchell and Assistant Attorney General Willebrandt for the respondent.

No. 1176. William M. Barrett, as President of the Adams Express Company, petitioner, *v.* Louise Doran. Petition for a writ of certiorari to the Supreme Court of the State of New York submitted by Mr. Charles W. Stockton for the petitioner, and by Mr. Eugene Mackey for the respondent.

No. 1177. Milos Vojnovic, petitioner, *v.* Henry H. Curran, Commissioner of Immigration at the Port of New York. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Carol Weiss King for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1181. Chicago Title and Trust Company, as Receiver of the La Salle Street Trust and Savings Bank, petitioner, *v.* Frank G.

Gardner, as Trustee in Bankruptcy of the O'Gara Coal Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit submitted by Mr. Hiram T. Gilbert for the petitioner, and by Mr. Henry M. Wolf, Mr. Alex. F. Reichmann, and Mr. Arthur M. Cox for the respondent.

No. 1182. Great Southern Life Insurance Company, petitioner, *v.* S. L. Burwell, Administrator of the Estate of John Emmet Cunningham, deceased. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Clyde A. Sweeton, Mr. William A. Vinson, and Mr. R. H. Thompson for the petitioner, and by Mr. William H. Watkins for the respondent.

No. 1183. Frank K. Bowers, Individually and as Collector of Internal Revenue for the Second District of New York, petitioner, *v.* New York and Albany Lighterage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Michell, Assistant Attorney General Willebrandt, Mr. Sewall Key, Mr. A. W. Gregg, and Mr. Charles T. Hendler for the petitioner and by Mr. Winifred Sullivan for the respondent.

No. 1184. Frank K. Bowers, Individually and as Collector of Internal Revenue for the Second District of New York, petitioner, *v.* Lloyd W. Seaman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, Mr. Sewall Key, Mr. A. W. Gregg, and Mr. Charles T. Hendler for the petitioner and by Mr. Bern Budd for the respondent.

No. 1185. Frank K. Bowers, United States Collector of Internal Revenue for the Second District of New York, petitioner, *v.* Thomas Staples Fuller. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Solicitor General Mitchell, Assistant Attorney General Willebrandt, Mr. Sewall Key, Mr. A. W. Gregg, and Mr. Charles T. Hendler for the petitioner, and by Mr. Thomas S. Fuller for the respondent.

No. 1186. O. K. Kines, Fred Rasmussen and G. L. Strick, Trustees for the Pennsylvania Milk Products Company, petitioners, *v.* A. H. Lamborn, H. B. Hutchings, G. H. Logan, et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Leavitt J. Hunt for the petitioners, and by Mr. Louis O. Van Doren for the respondents.

No. 1189. Edward B. Strom, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Myron H. Walker for the petitioner and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely.

No. 1225. Societe de Navigation a Vapeur France Indo-Chine, petitioner, *v.* Cooper & Cooper, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roscoe H. Hupper and Mr. William J. Dean for the petitioner, and by Mr. George Whitefield Betts, jr., for the respondent.

No. 1226. Societe de Navigation a Vapeur France Indo-Chine, petitioner, *v.* Harrisons & Crossfield, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Roscoe H. Hupper and Mr. William J. Dean for the petitioner, and by Mr. George Whitefield Betts, jr., for the respondent.

Adjourned until Tuesday, June 1, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: The Chief Justice, Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

James I. Phelps, of Oklahoma City, Okla.; Overton G. Ellis, of Tacoma, Wash.; Aubrey M. Pyburn, of Shreveport, La.; Glenn McHugh, of Washington, D. C.; Ellsworth C. Alvord, of Washington, D. C.; Samuel Leavitt, of New York City; Clarence Milton Updegraff, of Iowa City, Iowa; Philbrick McCoy, of Silver Spring, Md.; Gustaf B. A. Erickson, of Joilet, Ill.; Frank B. Meseke, of New York City; and Paul Koch, of New York City, were admitted to practice.

No. 279. City of Douglas, plaintiff in error, *v.* Federal Reserve Bank of Dallas. In error to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Texas. Opinion by Mr. Justice Stone.

No. 307. Ed. Raffel *v.* the United States of America. On certificate from the United States Circuit Court of Appeals for the Sixth Circuit. Question answered in the negative. Opinion by Mr. Justice Stone.

No. 333. Ma-King Products Company, appellant, *v.* David H. Blair, Commissioner of Internal Revenue of the United States. Appeal from the United States Circuit Court of Appeals for the Third Circuit. Decree affirmed with costs, and cause remanded to the District Court of the United States for the Western District of Pennsylvania. Opinion by Mr. Justice Sanford.

No. 316. S. H. Davis, J. A. White, and Annie White, plaintiffs in error, *v.* Alice Williford, Allie Griffin, Rosie Williford, et al. In error to and on writ of certiorari to the Supreme Court of the State of Oklahoma. Writ of error dismissed. Writ of certiorari granted. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 268. Chicago, Milwaukee & St. Paul Railway Company, petitioner, *v.* Edith F. Coogan, as Special Administratrix of the Estate of William Coogan, Deceased. On writ of certiorari to the Supreme Court of the State of Minnesota. Judgment reversed with costs,

and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Butler.

No. 1061. The United States of America, plaintiff in error, *v.* John Ramsey and William K. Hale. In error to the District Court of the United States for the Western District of Oklahoma. Judgment reversed and cause remanded to the said district court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Sutherland.

No. --, original. In the matter of the application of William Buder et al. Motion for leave to file petition for writ of mandamus denied. Opinion by Mr. Justice Brandeis.

No. 265. Kansas City Terminal Railway Company et al. *v.* Central Union Trust Company of New York et al. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Questions answered, with certain qualifications. Opinion by Mr. Justice McReynolds.

No. 324. Home Furniture Company, George H. Park, and James F. Kilcrease, etc., appellants, *v.* The United States of America, The Interstate Commerce Commission, the Southern Pacific Company, et al. Appeal from the District Court of the United States for the Western District of Texas. Decree affirmed. Opinion by Mr. Justice McReynolds.

No. 194. Old Colony Trust Company, as Trustee, appellant, *v.* The City of Seattle, County of King, W. W. Shields, as Treasurer, etc., et al. Appeal from the District Court of the United States for the Western District of Washington. Decree reversed with costs, and cause remanded to the said District Court for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Van Devanter. Mr. Justice Holmes took no part in the consideration or decision of this case.

No. 208. The United States of America *v.* Jose Candelaria et al. On certificate from the United States Circuit Court of Appeals for the Eighth Circuit. Questions answered with certain qualifications. Opinion by Mr. Justice Van Devanter.

No. 15. Edgar S. Appleby and John S. Appleby, Individually and as Executors of the Last Will and Testament of Charles E. Appleby, deceased, plaintiffs in error, *v.* The City of New York, Eben E. Olcott, Central Railroad of New Jersey, et al. In error to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this

court. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice McReynolds.

No. 16. Edgar S. Appleby and John S. Appleby, plaintiffs in error, *v.* John T. Delaney, as Commissioner of Docks of the City of New York. In error to the Supreme Court of the State of New York. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft. Dissenting: Mr. Justice McReynolds.

No. 255. Oscar Thornton, Shabie Thornton, Inman Thornton, et al., petitioners, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. Judgment affirmed, and cause remanded to the District Court of the United States for the Southern District of Georgia. Opinion by Mr. Chief Justice Taft.

The Chief Justice announced the following orders of the court:

No. 814. D. H. Brasfield et al, petitioners, *v.* The United States of America. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 838. Cologero Fasulo, petitioner, *v.* The United States of America. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 843. The United States of America, appellant, *v.* International Harvester Company et al. , Motion to advance granted and cause assigned for argument on Monday, October 4 next.

No. 885. The United States of America, plaintiff in error, *v.* James W. McElvain et al. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 924. The Virginian Railway Company, appellant, *v.* The United States of America et al.; and

No. 925. The United States of America et al., appellants, *v.* The Virginian Railway Company. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 930. The United States of America et al., appellants, *v.* The New York Central Railroad Company. Motion to advance granted and cause assigned for argument on Monday, October 4 next.

No. 1016. C. A. Hudson et al., petitioners, *v.* The United States of America. Motion to advance granted and cause assigned for argument on Monday, October 4 next.

No. 1132. William Earl Dodge et al., petitioners, *v.* The United States of America. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 1163. Albert Ottinger, Attorney General, etc., appellant, *v.* Consolidated Gas Company;

No. 1164. Albert Ottinger, Attorney General, etc., appellant, *v.* The Brooklyn Union Gas Company; and

No. 1180. Albert Ottinger, Attorney General, etc., appellant, *v.* Kings County Lighting Company. Motion to advance granted and cases assigned for argument on Monday, October 4 next as one case.

No. 615. Herman A. Uihlein et al., plaintiff in error, *v.* The State of Wisconsin et al. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4 next.

No. 1012. Cornelius Anderson, etc., petitioner, *v.* Shipowners Association of the Pacific Coast et al. Motion to advance granted, and cause assigned for argument on Monday, October 4 next.

No. 1051. Ben F. Wright, Auditor for the Philippine Islands, Petitioner, *v.* Ynchausti & Company. Motion to advance granted, and cause assigned for argument on Monday, October 4 next.

No. 1203. R. B. Morris, doing business, etc., appellants, *v.* William Duby et al. The motion for a stay herein is denied. The motion to advance this case is granted and the case assigned for argument on Monday, October 4 next.

No. 927. Ben C. Jones & Company, plaintiff in error, *v.* The West Publishing Company. The motion to reinstate this case to the docket is denied.

No. 626. Hanover Fire Insurance Company, plaintiff in error, *v.* Patrick J. Carr, County Treasurer. The motion for leave to file brief herein as *amicus curiae* and to present a motion to dismiss in this case is denied.

No. —. A. Stanley Copeland *v.* The United States. The motion for an order directing a return to a writ of error herein is denied.

No. 609. Hartsville Oil Mill, appellant, *v.* The United States. The motion to stay mandate and to modify the judgment in this case is denied.

No. 884. Leslie Albert Porter, plaintiff in error, *v.* The City of Lewiston et al. The motion to reinstate this case to the docket is denied.

No. 294. Fidelity National Bank & Trust Company of Kansas City et al., appellants, *v.* Felix H. Swope et al. It is ordered that this case be, and it is hereby, restored to the docket for a reargument and assigned for Monday, October 4 next.

Report of the committee of the bar in re Disbarment of John H. Adriaans, Horace L. B. Atkisson, L. Grandin Grossman, Henry E. Bolt, Walter Holland, and Norman T. Whitaker. The report of the committee of the bar is received and filed, and the thanks of the court are expressed to the committee for its very satisfactory report.

The following order, as recommended by the committee, is hereby made and directed to be entered, viz:

ORDER

The committee of the bar of this court, appointed by order of this court January 18, 1926, to consider the charges heretofore filed against the members of the bar of this court named herein, having filed its report and recommendations respecting the action to be taken herein, and the court having duly considered the report of the committee and the other files, records, and proceedings in this matter, and it appearing that the members of the bar of this court named herein have been disbarred by the Supreme Court of the District of Columbia and by the Court of Appeals of the District of Columbia, and that they do not possess the qualifications entitling them to continue as members of the bar of this court, it is ordered that the said Norman T. Whitaker, John H. Adriaans, Horace L. B. Atkison, L. Grandin Grossman, and Henry E. Bolt be, and each of them hereby is, disbarred and that their names be stricken from the roll of attorneys admitted to practice in this court.

It appearing that a suit is now pending in the Supreme Court of the District of Columbia to which the said Walter Holland is a party, and which he contends may lead to his reinstatement as a member of the bar of that court, it is ordered that the said Walter Holland be suspended from practice before this court until such time as he shall file with this court certificates from the Supreme Court of the District of Columbia and the Court of Appeals of the District of Columbia showing that he has been reinstated as a member of the bars of those courts. It is further ordered that unless such certificates are filed with the clerk of this court on or before December 31, 1926, the said Walter Holland be then disbarred without further notice and his name stricken from the roll of attorneys and counsellors admitted to practice in this court.

No. 1143. Andrew W. Mellon, Director General, petitioner, *v.* Wilbur E. Skinner. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 1144. Andrew W. Mellon, Director General, petitioner, *v.* Victor H. Wilson. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 1145. Andrew W. Mellon, Director General, petitioner, *v.* Warren R. Bennisson. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 1146. Andrew W. Mellon, Director General, petitioner, *v.* Peter S. Stoneham. Petition for a writ of certiorari to the Supreme Court of the State of Missouri granted.

No. 1159. Produits Metallurgiques Anciens Etablissements Meiboom & Cie., Société Anonyme, petitioner, *v.* Gulf Export & Transport Company. Petition for a writ of certiorari to the Supreme Court of the State of New York granted.

No. 1160. Chicago, Burlington & Quincy Railroad Company, petitioner, *v.* Wells-Dickey Trust Company, Special Administrator. Petition for a writ of certiorari to the Supreme Court of the State of Minnesota granted.

No. 1161. The Baltimore & Ohio Railroad Company, petitioner, *v.* Dora Goodman, Administratrix. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit granted.

No. 1166. Ben W. Steele, Executor of The Estate of A. B. Steele, deceased, petitioner, *v.* J. H. Drummond. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1169. Mueller Grain Company petitioner, *v.* American State Bank of Omaha, Nebraska. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit granted.

No. 1173. Juan Posados, Jr., Collector, etc., et al., petitioners, *v.* The City of Manila. Petition for a writ of certiorari to the Supreme Court of the Philippine Islands granted.

No. 1183. Frank K. Bowers, Collector, etc., petitioner, *v.* New York & Albany Lighterage Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1184. Frank K. Bowers, Collector, etc., petitioner, *v.* Lloyd W. Seaman. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 1185. Frank K. Bowers, Collector, *v.* Thomas Staples Fuller, Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit granted.

No. 913. Channon-Emery Stove Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 914. Mosler Metal Products Corporation, petition, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 915. American Seating Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 916. Collier Manufacturing Company, Inc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 917. Ohio Public Service Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 1111. The Lone Star Brewing Association, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 1141. Charles L. Fuller, petitioner, *v.* Steamship *Benclench*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1142. Charles L. Fuller, petitioner, *v.* Steamship *Ellerdale*, etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1150. W. J. Foye Lumber Company, petitioner, *v.* The Pennsylvania Railroad Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1152. L. P. Summers, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1154. L. Van Der Stegen, etc., petitioner, *v.* Neuss, Hesslein & Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1158. Mary C. March, petitioner, *v.* Vulcan Iron Works. Petition for a writ of certiorari to the Court of Errors and Appeals of the State of New Jersey denied.

No. 1167. Roscoe D. Rand, petitioner, *v.* The National Bank of Newport. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1168. M. Kananack & Company, Inc., et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1174. Olive S. McGrew, petitioner, *v.* John L. McGrew et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1175. Neufield T. Jones et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit denied.

No. 1176. William M. Barrett, as President, etc., petitioner, *v.* Louise Doran. Petition for a writ of certiorari to the Supreme Court of the State of New York denied.

No. 1177. Milos Vojnovic, petitioner, *v.* Henry H. Curran, Commissioner, etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1181. Chicago Title & Trust Company, Receiver, petitioner, *v.* Frank G. Gardner, Trustee. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied.

No. 1182. Great Southern Life Insurance Company, petitioner, *v.* S. L. Burwell, Administrator. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1186. O. K. Kines et al., Trustees, petitioners, *v.* A. H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1189. Edward B. Strom, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

No. 1225. Societé de Navigation a Vapeur France Indo-Chine, petitioner, *v.* Cooper & Cooper, Inc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1226. Societé de Navigation a Vapeur France Indo-Chine, petitioner, *v.* Harisons & Crossfield, Ltd. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

ORDER

To expedite the hearing of criminal cases upon the docket of this court, brought here by writ of error directly from State courts or from those courts by appeals from writs of habeas corpus in Federal courts, it is ordered that all cases of this kind upon the docket be advanced for hearing and set during the October sessions of this court at the October, 1926, term.

It is further ordered that appeals in Federal criminal cases arising under the laws of the United States and now upon the docket of this court, be also advanced for hearing at the October sessions for the October term of 1926.

It is further ordered that all the cases heretofore advanced and set for hearing on October 4 next shall be reassigned for special dates during the October sessions of 1926.

The clerk is directed to assign these three classes of cases for the four weeks of October sessions, beginning on the 4th of October and ending on Friday, the 29th of October, to spread the assignments upon the Journal, and to notify counsel of the dates of the special settings.

For Monday, October 4, 1926

- No. 578. } Johnson *v.* State of Georgia.
 579. } Benford *v.* State of Georgia.
 825. Harvey *v.* State of Louisiana.
 1101. People of New York *ex rel.* Bryant *v.* Zimmerman.
 999. Pan American Petroleum & Transport Company *v.* The United States.
 789. International Stevedoring Company *v.* Haverty.
 778. State Industrial Board *v.* Terry & Tench Co. (Summary Docket.)
 805. Southern Pacific Company *v.* The United States. (Summary Docket.)
 604. Hughes Bros. Timber Company *v.* Minnesota.
 870. Tyson & Brother *v.* Banton, District Attorney.
 836. Yankton Sioux Tribe of Indians *v.* The United States.
 491. Dorchy *v.* State of Kansas.
 550. Nelson *v.* People of California.
 294. Fidelity National Bank and Trust Company *v.* Swope. (For Reargument.)

For Monday, October 11, 1926

- No. 845. } Palmetto Fire Insurance Company *v.* Conn. }
 938. } Chrysler Sales Corporation *v.* Smith. }
 937. } Clark Motor Company *v.* Smith. } Assigned as
 903. } Chrysler Sales Corporation *v.* Spencer. } one case.
 904. } Utterback-Gleason *v.* Spencer. }
 741. Public Utilities Commission *v.* Attleboro Steam & Electric Co.
 179. Village of Euclid *v.* Ambler Realty Company. (For Reargument.)
 764. Die Deutsche Bank Filiale Nurnberg *v.* Humphrey. (Summary Docket.)
 635. Moore *v.* Fidelity & Deposit Company. (Summary Docket.)
 145. Hebert *v.* State of Louisiana.
 154. Fenwick *v.* Myers, Prosecuting Attorney.
 967. Massachusetts State Grange *v.* Benton, Attorney General.
 464. The United States *v.* General Electric Company.
 814. Brasfield *v.* The United States. (Summary Docket.)
 838. Fasulo *v.* The United States. (Summary Docket.)
 840. Brein *v.* Department of Health of Connecticut.
 624. General Petroleum Company *v.* County of Kern.

For Monday, October 18, 1926

- No. 626. Hanover Fire Insurance Company *v.* Carr, Treasurer.
 1163. } Ottinger *v.* Consolidated Gas Company of }
 } N. Y. }
 1164. } Ottinger *v.* Brooklyn Union Gas Company. } Assigned as
 1180. } Ottinger *v.* Kings County Lighting Com- } one case.
 } pany. }
 473. } The United States *v.* One Ford Coupe.
 611. } Port Gardner Investment Company *v.* The United }
 } States. (For Reargument.)
 827. Goldman *v.* People of Illinois.
 993. Van Oster *v.* State of Kansas.
 386. Napier, Attorney General, *v.* Atlantic Coast Line Railway Co.
 801. Salinger *v.* The United States.
 1067. Graves *v.* State of Minnesota.
 885. The United States *v.* McElvain. (Summary Docket.)
 1016. Hudson et al. *v.* The United States.
 374. Nose *v.* Webb, Attorney General.
 457. Duffy, Collector, *v.* Mutual Benefit Life Insurance Company.

For Monday, October 25, 1926

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| No. 410. | Federal Trade Comm'n <i>v.</i> Western Meat Company. | } Assigned as one case. |
| 721. | Thatcher Mfg. Co. <i>v.</i> Federal Trade Comm'n. | |
| 781. | Swift & Co. <i>v.</i> Federal Trade Commission. | |
| 843. | United States <i>v.</i> International Harvester Company. | |
| 1045. | Ford et al. <i>v.</i> The United States. | |
| 949. | Di Santo <i>v.</i> State of Pennsylvania. | |
| 1132. | Dodge <i>v.</i> The United States. (Summary Docket.) | |
| 615. | Uihlein <i>v.</i> State of Wisconsin. (Summary Docket.) | |
| 1135. | Interstate Busses Corporation <i>v.</i> Holyoke Street Ry. Co. | |
| 1051. | Wright, Auditor, <i>v.</i> Ynchausti & Company. | |
| 1012. | Anderson <i>v.</i> Shipowners Association of Pacific Coast. | |
| 518. | Gilmore <i>v.</i> People of Illinois. | |
| 1203. | Morris et al. <i>v.</i> Duby et al. | |
| 930. | The United States <i>v.</i> New York Central Railroad Company. | |
| 924. | Virginian Railway Company <i>v.</i> The United States. | |
| 925. | The United States <i>v.</i> Virginian Railway Company. | |

No. 909. E. A. Edenfield, petitioner, *v.* The United States of America. Motion to advance submitted by Mr. Solicitor General Mitchell for the respondent.

No. 1258. The United States of America and Interstate Commerce Commission, appellants, *v.* Los Angeles and Salt Lake Railroad Company. Motion to advance submitted by Mr. Solicitor General Mitchell for the appellants.

No. 554. Norman S. Bowles, appellant, *v.* W. I. Biddle, Warden of the United States Penitentiary, Leavenworth, Kansas. Motion to dismiss submitted by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the appellee in support of the motion.

No. 603. The United States of America, plaintiff in error, *v.* Benjamin Brauer, Harry Cantor, Leopold Brauer, et al. In error to the District Court of the United States for the District of New Jersey. Dismissed on motion of Mr. Solicitor General Mitchell for the plaintiff in error.

No. 1257. George Remus, petitioner, *v.* The United States of America. Leave granted to file brief for the respondent on Wednesday, June 2, on motion of Mr. Solicitor General Mitchell in that behalf.

No. 19, original. The State of Michigan, complainant, *v.* The State of Wisconsin. Stipulation to extend time submitted and time within which to present final decree extended, on motion of Mr. Edward E. Browne in that behalf.

No. 1032. Chicago and North Western Railway Company, plaintiff in error, *v.* Railroad Commission of Wisconsin; and

No. 1033. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. Motion to advance submitted by Mr. Matthew E. O'Brien in behalf of Mr. Herman L. Ekern and Mr. R. M. Reiser for the defendant in error.

No. 27, original. State of Michigan, complainant, *v.* State of Illinois and Sanitary District of Chicago. Leave to file joint and several answers of defendants granted on motion of Mr. Morton S. Cressy in that behalf.

No. 27, original. State of Michigan, complainant, *v.* State of Illinois and Sanitary District of Chicago. Motion to consolidate with case No. 16, original, resubmitted by Mr. Morton S. Cressy in that behalf.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Leave granted to file answer of the State of Illinois, on motion of Mr. Morton S. Cressy in that behalf.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. Report of Special Master presented and ordered filed, on motion of Mr. Charles Warren, the Special Master appointed herein.

No. —. John Lapique, assignee of the Estate of Miguel Leonis et al, petitioners, *v.* The District Court of the United States for the Southern District of California et al. Motion for leave to file petition for writ of mandamus and motion for writ of error submitted by Mr. John Lapique, *pro se*.

No. 1047. L. Anthony et al., etc., et al., appellants, *v.* Sam A. Kozer, Secretary of State; and

No. 1204. I. S. Martine et al., appellants, *v.* Sam A. Kozer, Secretary of State. Motion to advance submitted by Mr. Robert F. Cogswell in behalf of Mr. W. R. Crawford and Mr. Edwin C. Ewing for the appellants.

No. 1260. Walter Nelson et al., etc., et al., appellants, *v.* W. G. Potts, Treasurer of the State of Washington; and

No. 1261. W. S. Cunningham et al., appellants, *v.* W. G. Potts, Treasurer of the State of Washington. Motion to advance submitted by Mr. Robert F. Cogswell for the appellants.

No. 480. L. A. Nixon, plaintiff in error, *v.* C. C. Herndon and Charles Porras. Motion to advance submitted by Mr. James A. Cobb for the plaintiff in error.

No. —, original. The State of Florida, complainant, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States and David H. Blair, Commissioner of Internal Revenue. Motion for leave to file bill of complaint submitted by Mr. John B. Johnson for the complainant.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Proposed form of decree submitted by Mr. Clarence T. Moser for the defendants, with leave to the complainant to file brief and affidavits in opposition thereto on or before Thursday next, on motion of Mr. Edwin H. Abbot in that behalf.

No. 786. Transportes Maritimos do Estado, appellant, *v.* L. Mundet & Sons, Inc. Motion to dismiss submitted by Mr. Otis Beall Kent in behalf of Mr. John A. McManus for the appellee in support of the motion, with leave to the appellant to file opposition thereto on or before Friday next, on motion of Mr. Robert Ash in behalf of Mr. F. Dudley Kohler for the appellant.

No. —. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Marian L. Robinson, as Administratrix of George Robinson, deceased. Return to rule to show cause submitted by Mr. Paul Koch for the plaintiff in error, and by Mr. Thomas J. O'Neill for the defendant in error.

No. 800. United States Sugar Equalization Board, Inc., petitioner, *v.* P. De Ronde & Company, Inc. Dismissed with costs, per stipulation of counsel.

No. 1027. Harry L. Robertson, plaintiff in error, *v.* John M. Fannin et al. In error to the District Court of the United States for the Southern District of Iowa. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 497. Joe H. Tiger, plaintiff in error, *v.* William M. Fewell, et al. Motion to dismiss submitted by Mr. William O. Beall for the defendant in error, in support of the motion, and by Mr. William Neff for the plaintiff in error in opposition thereto.

No. 1096. Simon Platt, Receiver for Manufacturers' Union, petitioner, *v.* the United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. Fulton Brylawski and Mr. Nathan Clayton for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Galloway, and Mr. John Henry Cohen for the respondent.

No. 1099. Frank Bornn, trading as the Bornn Distilling Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims submitted by Mr. George V. A. McCloskey for the petitioner, and by Mr. Solicitor General Mitchell and Mr. Assistant Attorney General Galloway for the respondent.

No. 1172. William Walter Owen, petitioner, *v.* George Heimann. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Walter A. Scott and Mr. H. McClure Johnson for the petitioner, and by Mr. Edward E. Clement for the respondent.

No. 1179. The Pascagoula National Bank of Moss Point and Pascagoula, Mississippi, petitioner, *v.* The Federal Reserve Bank of Atlanta et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Alexander W. Smith, jr., for the petitioner, and by Mr. Hollins N. Randolph, Mr. Robert S. Parker, Mr. Newton D. Baker, and Mr. M. B. Angell for the respondents.

No. 1187. E. O. Jones, as Trustee, petitioner, *v.* J. B. Adams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Benjamin P. Crum for the petitioner.

No. 1188. Estelle L. Mattice, petitioner, *v.* Nathan N. Klawans. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Corinne L. Rice for the petitioner, and by Mr. Weymouth Kirkland for the respondent.

No. 1190. Otto H. Reinke, Mette Reinke, Mary Reinke, et al., petitioners *v.* J. B. Hire, as Administrator of the Estate of Julius Quandt, deceased, et al. Petition for a writ of certiorari to the Supreme Court of the State of Illinois submitted by Mr. Frans E. Lindquist for the petitioners.

No. 1191. Louis Brenner, Samuel Brenner, Benjamin Brenner, et al., etc., petitioners, *v.* Arthur H. Lamborn, Henry B. Hutchings, George H. Logan, et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Leavitt J. Hunt for the petitioners, and by Mr. Louis O. Van Doren for the respondents.

No. 1192. Matthew Smith Tea, Coffee & Grocery Company, petitioner, *v.* A. H. Lamborn, H. B. Hutchings, G. H. Logan, et al., etc. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Leavitt J. Hunt for the petitioner, and by Mr. Louis O. Van Doren for the respondents.

No. 1193. T. A. Helm, petitioner, *v.* United Central Oil Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. M. McCormick and Mr. Paul Carrington for the petitioner.

No. 1194. Henry B. Hovland, petitioner, *v.* Hoval A. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. Charles H. Potter and Mr. John H. Brickenstein for the petitioner, and by Mr. John M. Ross for the respondent.

No. 1195. Kansas City Southern Railway Company, petitioner, *v.* R. E. Ellzey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. J. D. Wilkinson and Mr. C. H. Lewis for the petitioner, and by Mr. S. P. Jones for the respondent.

No. 1196. H. N. Smith, E. Olsen, F. Osterman, et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. W. J. Waguespack for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Letts, and Mr. J. Frank Staley for the respondent.

No. 1197. E. W. Gallaher, petitioner, *v.* The Huntington Engineering Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia submitted by Mr. George S. Wallace for the petitioner.

No. 1198. Kinney-Coastal Oil Company et al., petitioners, *v.* Michael F. Kieffer, et al., etc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Paul P. Prosser and Mr. Edward M. Freeman for the petitioners.

No. 1200. Bessie M. Mack, petitioner, *v.* Connecticut General Life Insurance Company of Hartford, Connecticut. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit submitted by Mr. Frederick H. Bacon and Mr. James J. O'Donohue for the petitioner.

No. 1201. Paul Dawson and Delia Dawson, petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. William Healy for the petitioners, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1202. J. A. Walker and wife, Elizabeth Walker, petitioners, *v.* George C. Hopkins, as Collector of Internal Revenue. Petition for a writ of certiorari to the United States Circuit Court of

Appeals for the Fifth Circuit submitted by Mr. James W. Wayman for the petitioners.

No. 1205. David Belais, Inc., petitioner, *v.* Goldsmith Bros. Smelting & Refining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Charles E. Hughes and Mr. Alan D. Kenyon for the petitioner, and by Mr. Livingston Gifford for the respondent.

No. 1207. William S. Kreiner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. Clarence V. Opper for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1209. Mercantile Bank of the Americas, Inc., petitioner, *v.* Flower Lighterage Company, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit submitted by Mr. T. Catesby Jones for the petitioner, and by Mr. Martin A. Schenck and Mr. I. Maurice Wormser for the respondents.

No. 1210. Atlantic Coast Line Railroad Company, petitioner, *v.* A. L. Jeffcoat. Petition for a writ of certiorari to the Supreme Court of the State of Alabama submitted by Mr. W. E. Kay for the petitioner, and by Mr. James J. Mayfield for the respondent.

No. 1211. Charles Land, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. William Fisher for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1212. M. B. Davis, alias Mood Davis, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. Philip D. Beall for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1214. Isadore Keslinsky, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit submitted by Mr. George E. Strong, Mr. Frank J. Looney, and Mr. Rush L. Holland for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring and Mr. Harry S. Ridgely for respondent.

No. 1217. Charles West, petitioner, *v.* Hubert Work, Secretary of the Interior of the United States of America, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia submitted by Mr. Edward P. Keech, jr., Mr. George W. Morgan, Mr. Stanton C. Peelle, Mr. C. F. R. Ogilby, Mr. Charles West, and Mr. Everett Petry for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Parmenter, and Mr. P. G. Michener for the respondent.

No. 1223. Franklin E. Kerr, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. James E. Fenton for the petitioner, and by Mr. Solicitor General Mitchell, Mr. Assistant Attorney General Luhring, and Mr. Harry S. Ridgely for the respondent.

No. 1224. John Lapique, Assignee of the Estate of Miguel Leonis et al., petitioner, *v.* The District Court of the United States for the Southern District of California et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit submitted by Mr. John Lapique the petitioner, *pro se.*

No. 1257. George Remus, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit submitted by Mr. Leonard Garver, jr., for the petitioner.

Adjourned until Monday next at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Holmes, Mr. Justice Van Devanter, Mr. Justice McReynolds, Mr. Justice Brandeis, Mr. Justice Sutherland, Mr. Justice Butler, Mr. Justice Sanford, and Mr. Justice Stone.

Philip M. Clark, of Newtonville, Mass.; George W. Glaze, of New York City; Leon Robbin, of Washington, D. C.; Neal A. Donahue, of Auburn, Me.; Sewall W. Abbott, of Wolfeboro, N. H.; Abraham Solomon, of New York City; Jose Escaler, of Manila, P. I.; Perry A. Sletteland, of Madison, Wis.; Josiah T. Walker, of Terre Haute, Ind.; Earle B. Wood, of Washington, D. C.; Renzo D. Bowers, of Hagerstown, Md.; Fred C. Erb, of Lewiston, Idaho; S. Homer Ferguson, of Detroit, Mich.; Wallace C. Magathan, of Washington, D. C.; Mark Hanna Adams, of Washington, D. C.; Edmond W. Hebel, of Chicago, Ill.; Clarence A. Linn, of San Francisco, Calif.; Glen R. Metsker, of St. Helens, Oreg.; Perry J. Backus, of Los Angeles, Calif.; Walter A. Bolinger, of Washington, D. C.; Warren Fay Wattles, of Wichita, Kans.; William F. Laukaitis, of Baltimore, Md.; Richard Todd Archer, of Los Angeles, Calif.; Elias A. Wright, of Seattle, Wash.; Sheldon H. Graves, of New York City; J. Henry Bennett, of Viroqua, Wis.; Paul Reilly, of Philadelphia, Pa.; Edgar L. Maxwell, of Mountain View, Calif.; Peter Baumer, of New York City; George E. Kennedy, of New York City; Richard K. Stevens, of Washington, D. C.; Alexander E. Frederick, of Sparta, Wis.; John R. Layng, of Los Angeles, Calif.; Patrick J. McMahon, of New York City; Thomas E. Parker, of Portland, Oreg.; Harold Van Riper, of New York City; Nathan Probst, jr., of New York City; Harrison B. McCawley, of Washington, D. C.; William Baird King, of Denver, Colo.; James E. Shelton, of Los Angeles, Calif.; and Henry De Forest Baldwin, of New York City, were admitted to practice.

No. 253. Dorothy Scott, plaintiff in error, *v.* J. A. Paisley, Mrs. Fannie Paisley, Claud Brackett, et al. In error to the Supreme Court of the State of Georgia. Judgment affirmed with costs. Opinion by Mr. Justice Sanford.

No. 293. Jaybird Mining Company, plaintiff in error, *v.* Joe Weir, as County Treasurer of Ottawa County, Oklahoma. In error to the Supreme Court of the State of Oklahoma. Petition for writ of cer-

tiorari denied. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Butler. Dissenting: Mr. Justice McReynolds and Mr. Justice Brandeis.

No. 317. Charles Hammer, petitioner, *v.* The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed and cause remanded to the District Court of the United States for the Southern District of New York for further proceedings in conformity with the opinion of this court. Opinion by Mr. Justice Butler.

No. 2, original. The State of Arkansas, complainant, *v.* The State of Tennessee. Final decree announced by Mr. Justice Butler.

No. 828. Marion L. Frost and Wesley H. Frost, Copartners, doing business under the name and style of Frost & Frost Trucking Company, plaintiffs in error, *v.* Railroad Commission of the State of California. In error to the Supreme Court of the State of California. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Sutherland. Dissenting: Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice McReynolds.

No. 280. Missouri Pacific Railroad Company, appellant, *v.* The United States. Appeal from the Court of Claims. Judgment affirmed. Opinion by Mr. Justice Sutherland.

No. 336. Lake Superior Consolidated Iron Mines, Oliver Iron Mining Company, Northern Development Company et al., appellants, *v.* Samuel Lord, J. G. Armson, and Odin Halden, Constituting the Minnesota Tax Commission et al., etc.;

No. 355. George L. Burrows, jr., Alice B. Beaumont, Elizabeth B. Huntington, et al., etc., et al., appellants, *v.* Samuel Lord, James G. Armson, Odin Halden, etc., et al.;

No. 388. Royal Mineral Association, North Range Iron Company, Myers Brothers Company et al., appellants, *v.* Samuel Lord, J. G. Armson, and Odin Halden, Constituting the Minnesota Tax Commission, et al.;

No. 389. William E. Boeing, Caroline Boeing Poole, Morton D. Hull, et al., etc., appellants, *v.* Samuel Lord, J. G. Armson, and Odin Halden, Constituting the Minnesota Tax Commission et al.;

No. 390. Robert E. Whiteside, W. J. Conan, Eliza Conan, et al., appellants, *v.* Samuel Lord, J. G. Armson, and Odin Halden, Constituting the Minnesota Tax Commission et al.;

No. 391. Merrimac Mining Company, appellant, *v.* Samuel Lord, J. G. Armson, and Odin Halden, Constituting the Minnesota Tax Commission et al.; and

No. 471. Helen P. Bardwell, Harriot P. Ayer, and Alice P. Forsman, appellants, *v.* Sargent Land Company, Samuel Lord, James G. Armson, et al. Appeals from the District Court of the United States for the District of Minnesota. Decrees affirmed with costs. Opinion by Mr. Justice McReynolds.

No. 260. Panama Rail Road Company, petitioner, *v.* Agapito Vasquez, as Administrator of the Goods, Chattels, and Credits which were of Maximiliano Sanchez, deceased. On writ of certiorari to the Supreme Court of the State of New York. Judgment affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 334. Berizzi Brothers Company, appellant, *v.* The Steamship *Pesaro*, her engines, Boilers, etc., and Don Gelasio Caetani, Royal Italian Ambassador. Appeals from the District Court of the United States for the Southern District of New York. Decree affirmed with costs. Opinion by Mr. Justice Van Devanter.

No. 326. Morse Dry Dock & Repair Company, petitioner, *v.* Steamship *Northern Star*, Her Engines, etc., and Harry Luber. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. Judgment reversed with costs; and cause remanded to the District Court of the United States for the Eastern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Holmes. Dissenting: Mr. Justice McReynolds.

No. 623. Yu Cong Eng and Co Liam, for themselves and for the benefit of other persons similarly situated and affected, petitioners, *v.* W. Trinidad, as Collector of Internal Revenue; Eulogio P. Revilla, as Fiscal for the City of Manila, et al. On writ of certiorari to the Supreme Court of the Philippine Islands. Judgment reversed with costs, and cause remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Chief Justice Taft, announced by Mr. Justice Holmes.

No. 309. Jose Alejandrino, petitioner, *v.* Manuel L. Quezon, Isabelo de los Reyes, Santiago Fonacier, et al. On writ of certiorari to the Supreme Court of the Philippine Islands. Judgment of the said Supreme Court vacated, and the cause remanded to that court, with directions to dismiss the petition without costs to either party. Opinion by Mr. Chief Justice Taft announced by Mr. Justice Holmes.

No. 718. Edward F. Goltra, petitioner, *v.* John W. Weeks, Secretary of War of the United States; Col. T. Q. Ashburn, Chief Inland & Coastwise Waterways Service, etc., et al. On writ of certiorari to the United States Circuit Court of Appeals for the Eighth

Circuit. Decree affirmed with costs. Opinion by Mr. Chief Justice Taft, announced by Mr. Justice Holmes. Dissenting: Mr. Justice McReynolds.

Mr. Justice Holmes announced the following orders of the court:

No. 1061. The United States of America, plaintiff in error, *v.* John Ramsey and William K. Hale. Motion for mandate granted, and it is ordered that the mandate in this case issue forthwith.

No. 719. The United States of America, petitioner, *v.* William F. Brims et al. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4, next.

No. 909. E. A. Edenfield, petitioner, *v.* The United States of America. Motion to advance granted; cause placed on the Summary Docket and assigned for argument on Monday, October 4, next.

No. 1258. The United States of America et al., appellants, *v.* Los Angeles & Salt Lake Railroad Company. Motion to advance granted and cause assigned for argument on Monday, January 3, 1927.

No. 1032. Chicago & North Western Railway Company, plaintiff in error, *v.* Railroad Commission of Wisconsin; and

No. 1033. Chicago, Milwaukee & St. Paul Railway Company, plaintiff in error, *v.* Railroad Commission of Wisconsin. Motion to advance granted and cases assigned for argument with case No. 386, on Monday, October 18, next, as one case.

No. 1047. L. Anthony et al., appellants, *v.* Sam A. Kozer, Secretary of State; and

No. 1204. I. S. Martine et al., appellants, *v.* Sam A. Kozer, Secretary of State of Oregon. Motion to advance granted and cases assigned for argument on Monday, January 3, 1927, after the case heretofore assigned for that day.

No. 1260. Walter Nelson et al., appellants, *v.* W. G. Potts, Treasurer of the State of Washington; and

No. 1261. W. S. Cunningham et al., appellants, *v.* W. G. Potts, Treasurer of the State of Washington. Motion to advance granted and cases assigned for argument on Monday, January 3, 1927, after the cases heretofore assigned for that day.

No. 480. L. A. Nixon, plaintiff in error, *v.* C. C. Herndon et al. Motion to advance granted and cause assigned for argument on Monday, January 3, 1927, after the cases heretofore assigned for that day.

No. 27, original. The State of Michigan, complainant, *v.* The State of Illinois and Sanitary District of Chicago. Motion for leave to file answers granted. Motion to consolidate this case with case No. 16, original, denied without prejudice.

No. 554. Norman S. Bowles, appellant, *v.* W. I. Biddle, Warden. Appeal from the District Court of the United States for the District of Kansas. Per curiam: Motion to dismiss the appeal as moot granted and the order denying the writ of habeas corpus vacated, with directions to the District Court of the United States for the District of Kansas to dismiss the petition.

No. —, original. John Lapique *v.* The District Court of the United States for the Southern District of California. Motion for leave to file petition for writ of mandamus and motion for writ of error denied.

No. —, original. The State of Florida, complainant, *v.* Andrew W. Mellon, Secretary of the Treasury of the United States, et al. Rule ordered to issue upon the defendants to show cause, returnable on Monday, October 4 next, why leave to file the bill of complaint should not be granted.

No. 786. Transportes Maritimos Do Estado, appellant, *v.* L. Mundet & Sons, Inc. Appeal from the District Court of the United States for the Southern District of New York. Per curiam: Dismissed for want of jurisdiction upon the authority of section 238 of the Judicial Code as amended by the act of February 13, 1925, c. 229, secs. 1, 13, 43 Stat. 936, 938, 942.

No. —. Robins Dry Dock & Repair Company, plaintiff in error, *v.* Marion L. Robinson, as Administratrix, etc. In error to the Supreme Court of the State of New York. Per curiam: Dismissed upon the authority of *Stratton v. Stratton*, 239 U. S. 55; *Andrews v. Virginian Ry. Co.* 248 U. S. 272; *Matthews v. Huwe*, 269, U. S. 262, 265-266; *Southern Electric Co. v. Stoddard, Superintendent*, 269 U. S. 186, 188-190.

No. 497. Joe H. Tiger, plaintiff in error, *v.* William M. Fewell et al. In error to the Supreme Court of the State of Oklahoma. Per curiam: Dismissed for want of jurisdiction upon the authority of section 237 of the Judicial Code, as amended by the act of September 6, 1916, c. 448, sec. 2, 39 Stat. 726; *Jett Bros. Distilling Co. v. Carrollton*, 252 U. S. 1, 5, 6.

No. 3, original. The State of New Mexico, complainant, *v.* The State of Texas. It is ordered that the report of the special master be, and it is hereby, received and a hearing on the report and any exceptions thereto is set for Monday, January 3, 1927.

No. 14, original. The Commonwealth of Massachusetts, complainant, *v.* The State of New York et al. Final decree dismissing the bill of complaint at the costs of the complainant and fixing the compensation of the special master ordered entered.

No. 16, original. The State of Wisconsin, complainant, *v.* The State of Illinois and Sanitary District of Chicago.

ORDER

It is ordered that this cause be referred to Charles Evans Hughes, Esquire, as the special master with directions and authority to take the evidence and to report the same to the Court with his findings of fact, conclusions of law, and recommendations for a decree—all subject to examination, consideration, approval, modification, or other disposal by the court. The special master shall have authority (1) to employ competent stenographic and clerical assistants, (2) to fix the times and places of taking the evidence, and (3) to issue subpoenas to secure the attendance of witnesses and to administer oaths. When the special master's report of his findings of fact, conclusions of law, and recommendations for a decree is completed the clerk of the court shall cause the same to be printed; and when the same is presented to the court in printed form the parties will be accorded a reasonable time, to be fixed by the court, within which to present exceptions. The special master shall be allowed his actual expenses and a reasonable compensation for his services to be fixed hereafter by the court. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportions as the court hereafter may direct. If the parties to the related suit of State of Michigan *v.* State of Illinois and Sanitary District of Chicago, now pending in this court, so elect and so notify the special master they shall be permitted to participate in the taking of evidence and in the hearing before the special master in like manner and with like effect as if that suit had been consolidated with this cause by the court's order; and the court specially reserves to itself authority to order such a consolidation if it becomes proper to do so. If the appointment herein made of a special master is not accepted, or if the place becomes vacant during the recess of the court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the court herein.

ORDER

It is now here ordered that the rules of this Court be, and they are hereby, amended as follows, viz:

Paragraphs 3 and 4 of Rule 35 are amended to read as follows:

3. Notice of the filing of the petition, together with a copy of the petition, printed record and supporting brief, shall be served by the petitioner on counsel for the respondent within 10 days after the filing, and due proof of service shall be filed with the clerk. If the United States, or any of its officers, is respondent and has been represented in the court below by the Attorney General of the United States or any of his subordinates, the service of the petition, record and brief shall be made on the Solicitor General at Washington, D. C. Counsel for the respondent shall have 20 days, and where he resides in California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, or an outlying possession, shall have 25 days, after notice, within which to file 40 printed copies of an opposing brief, conforming to Rules 24 and 25.

(a) Except during the summer recess, a brief in opposition filed on or before the Friday preceding the motion day on which the petition is to be submitted will be received. If the date for filing a brief in opposition falls in the summer recess, the brief may be filed within 40 days after the service of the notice, but this enlargement shall not extend the time to a later date than September 10th.

4. On the first motion day following the expiration of the 20 days or 25 days, as the case may be, the petition, record and briefs shall be submitted by the clerk to the court for its consideration.

Paragraphs 4 and 5 of Rule 38 are amended to read as follows:

4. A petition to this court for a writ of certiorari to review a judgment of the Court of Claims shall be accompanied by a certified transcript of the record in that court, consisting of the pleadings, findings of fact, judgment and opinion of the court, but not the evidence. The petition shall contain only a summary and short statement of the matter involved and the reasons relied on for the allowance of the writ. The petition and record shall be filed with the clerk and 30 copies thereof shall be printed under his supervision in the same way and upon the same terms that records on writs of error and appeals are required to be printed, save that the estimated cost of printing shall be paid within five days after the estimate is furnished by the clerk and if payment is not so made the petition may be summarily dismissed. When the petition and record are printed the petitioner shall forthwith serve a copy thereof on the respondent, or his counsel of record, and shall file with the clerk due proof thereof.

5. Within 20 days after the petition and record are printed the petitioner shall file with the clerk 30 copies of a printed brief in support of the petition—the brief to conform to the provisions of rules 24 and 25; and the petitioner shall at the same time file with the clerk due proof that he has served a copy of the brief on the respondent or his counsel, together with a notice that the petition will be submitted to this court on the first motion day after the expiration of 20 days from the date of such service. The respondent may file with the clerk 30 printed copies of an opposing brief, conforming to Rules 24 and 25, at any time during that 20-day period. On the first motion day following the expiration of that period the petition and record, with the briefs filed, shall be submitted by the clerk to the court for its consideration.

The provisions of subdivision (a) of paragraph 3 of Rule 35 shall apply to briefs in opposition to petitions for writs of certiorari to review judgments of the Court of Claims.

ORDER

It is ordered by the court that the order respecting compensation of employees of this court entered this day shall be filed and recorded in the minutes.

No. 1195. Kansas City Southern Railway Company, petitioner, *v.* R. E. Ellzey. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit granted.

No. 1198. Kinney-Coastal Oil Company et al., petitioners, *v.* Michael F. Kieffer, et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit granted.

No. 1096. Simon Platt, Receiver, etc., petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 1099. Frank Bornn, trading as the Bornn Distilling Company, petitioner, *v.* The United States. Petition for a writ of certiorari to the Court of Claims denied.

No. 1172. William Walter Owen, petitioner, *v.* George Heimann. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1179. Pascagoula National Bank, etc., petitioner, *v.* The Federal Reserve Bank of Atlanta et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1187. E. O. Jones, as Trustee, petitioner, *v.* J. B. Adams. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1188. Estelle L. Mattice, petitioner, *v.* Nathan N. Klawans. Petition for a writ of certiorari to the Supreme Court of the State of Illinois denied.

No. 1190. Otto H. Reinke et al., petitioners, *v.* J. B. Hire, Administrator, et al. Petition for a writ of certiorari to the Supreme Court of the State of Nebraska denied.

No. 1191. Louis Brenner et al., petitioners, *v.* Arthur H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1192. Matthew Smith Tea, Coffee & Grocery Company, petitioner, *v.* A. H. Lamborn et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1193. T. A. Helm, petitioner, *v.* United Central Oil Corporation. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1194. Henry B. Hovland, petitioner, *v.* Hoval A. Smith. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1196. H. N. Smith et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1197. E. W. Gallaher, petitioner, *v.* The Huntington Engineering Company. Petition for a writ of certiorari to the Supreme Court of Appeals of the State of West Virginia denied.

No. 1200. Bessie M. Mack, petitioner, *v.* Connecticut General Life Insurance Company of Hartford, Connecticut. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit denied.

No. 1201. Paul Dawson et al., petitioners, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1202. J. A. Walker et al., petitioners, *v.* George C. Hopkins, Collector. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1205. David Belais, Inc., petitioner, *v.* Goldsmith Bros. Smelting & Refining Company. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1207. William S. Kreiner, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit of Appeals for the Second Circuit denied.

No. 1209. Mercantile Bank of the Americas, Inc., petitioner, *v.* Flower Lighterage Company, Inc., et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit denied.

No. 1210. Atlantic Coast Line Railroad Company, petitioner, *v.* A. L. Jeffcoat. Petition for a writ of certiorari to the Supreme Court of the State of Alabama denied.

No. 1211. Charles Land, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1212. M. B. Davis, alias Mood Davis, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1214. Isadore Keslinsky, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit denied.

No. 1217. Charles West, petitioner, *v.* Hubert Work, Secretary of the Interior, et al. Petition for a writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 1223. Franklin E. Kerr, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1224. John Lapique, Assignee, etc., petitioner, *v.* The District Court of the United States for the Southern District of California et al. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit denied.

No. 1257. George Remus, petitioner, *v.* The United States of America. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit denied.

ORDER

It is now here ordered by this court that all cases on the docket not decided, and all other business of the term not disposed of, be, and the same are hereby, continued to the next term.

Adjourned to the time and place appointed by law.